

**EXECUTIVE SESSIONS OF THE SENATE
PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE
ON GOVERNMENT OPERATIONS**

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FIRST SESSION

1953



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¹The Democratic members were absent from the subcommittee from July 10, 1953 to January 25, 1954.

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SECURITY—UNITED NATIONS

[EDITOR'S NOTE.—With the Senate Internal Security Subcommittee already conducting an investigation of American Communist infiltration of the United Nations, the Permanent Subcommittee on Investigations confined its inquiry to "an employee of the United Nations not attached to that part of the United Nations scrutinized by the Internal Security Subcommittee." Julius Reiss (1907–1979) was an American employed by the Polish Delegation to the United Nations. He had also been an instructor for the U.S. Army during the Second World War. In both this executive session and in a public session on September 17, 1953, Reiss declined to answer questions relating to Communist party membership and activities. Florence Englander (1907–1981), who also testified on September 14, did not testify in public.]

MONDAY, SEPTEMBER 14, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:40 a.m., in room 128 of the United States Court House, Foley Square, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Baline Sloan, member, Legal Department, U.N.

The CHAIRMAN. Mr. Remes, will you stand and be sworn.

Mr. REISS. My name is Reiss.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, nothing but the truth, so help you God?

Mr. REISS. I do.

TESTIMONY OF JULIUS REISS (ACCOMPANIED BY HIS COUNSEL, ROYAL W. FRANCE)

Mr. COHN. Can we get the name of counsel for the record.

Mr. FRANCE. Royal W. France, 104 East 40th Street.

Mr. REISS. Excuse me, sir. I didn't quite get the name you used when you asked me.

The CHAIRMAN. You give us your name, will you?

Mr. REISS. Julius Reiss.

Mr. COHN. What is your address, sir?

Mr. REISS. 741 Westminister Road, Brooklyn, New York.

Mr. COHN. Where are you employed?

Mr. REISS. At the Polish Delegation to the United Nations.

Mr. COHN. What is that address?

Mr. REISS. 151 East 62 Street.

The CHAIRMAN. I wonder if you would try and speak louder, please.

Mr. REISS. 161 East 62 Street. New York City.

Mr. COHN. And what is the telephone up there?

Well, that is all right. Let me ask you this, sir. For how long a period of time have you been employed at the Polish Delegation to the United Nations?

Mr. REISS. Approximately three years.

Mr. COHN. Approximately three years?

Mr. REISS. Yes.

Mr. COHN. In other words, you went there in 1950, is that right?

Mr. REISS. At the end of 1950 sometime.

Mr. COHN. End of?

Mr. REISS. Sometime.

Mr. COHN. Will you just tell us generally what you do there?

Mr. REISS. I am a documentation clerk.

Mr. COHN. What does that mean?

Mr. REISS. I handle United Nations documents, file them. I make abstracts, digests of them. I handle press end periodicals and books and do research in the press, periodicals and books.

Mr. COHN. Did you generally work along those lines?

Mr. REISS. Yes, sir.

Mr. COHN. Is your salary paid by the Polish Delegation?

Mr. REISS. Yes, sir.

Mr. COHN. What is your salary?

Mr. REISS. It is about \$3900 a year. I think about \$325 a month.

Mr. COHN. Is that net of taxes or—

Mr. REISS. That is before taxes.

Mr. COHN. What do you do, pay your own income tax?

Mr. REISS. Yes.

Mr. COHN. Is that reimbursed to you in any way by—

Mr. REISS. No, sir.

Mr. COHN. In other words, you are paid a straight salary?

Mr. REISS. Yes.

Mr. COHN. You are. Are you paid in United States currency?

Mr. REISS. Yes, sir.

Mr. COHN. What did you do immediately prior to going with the Polish Delegation?

Mr. REISS. Directly prior to that?

Mr. COHN. Yes.

Mr. REISS. I was out of work.

Mr. COHN. For how long a period of time? Just approximately?

Mr. REISS. May I ask my counsel a question?

Mr. COHN. Sure, you can ask your counsel anything you want.

Mr. REISS. I think it may have been about two months or so. Two or more, I am not sure.

Mr. COHN. Directly prior to that, what did you do?

Mr. REISS. I refuse to answer on the grounds of the Fifth Amendment.

Mr. COHN. On the grounds the answer may tend to incriminate you, on the Fifth Amendment?

Mr. REISS. On the grounds the answer may tend to incriminate me, on the Fifth Amendment.

Mr. COHN. For how long a period of time will you claim a privilege as to your employment? In other words, we are back to two months prior to the time you went with the Polish Delegation.

You can consult with counsel if you want. I don't want to go back month after month.

Mr. REISS. I think back to about 1935.

Mr. COHN. Back to 1935?

Mr. REISS. Yes, sir.

Mr. COHN. Have you ever worked for the United States government?

Mr. REISS. I was in the army.

Mr. COHN. As a soldier?

Mr. REISS. Yes, sir.

Mr. COHN. During what years?

Mr. REISS. 1942 to 1945.

Mr. COHN. Did you serve in this country and overseas?

Mr. REISS. Just in this country.

Mr. COHN. Just in this country. Where were you stationed?

Mr. REISS. I was stationed in Aberdeen, Maryland.

Mr. COHN. Aberdeen, Maryland?

Mr. REISS. Yes, sir.

Mr. COHN. Aberdeen Proving Ground?

Mr. REISS. No, sir. It had nothing to do with it.

Mr. COHN. What was the particular assignment in the army that you had?

Mr. REISS. I was—I taught pedagogy.

Mr. COHN. You taught pedagogy in the army?

Mr. REISS. Yes, sir.

The CHAIRMAN. What the hell is that?

Mr. COHN. Yes, sir. Would you expand on that just for a little bit?

Mr. REISS. Yes. You have a lot of men who went through cadre school and who you had to teach how to repair machine guns and ammunition clerical work and so forth. They had to teach. Well, I taught these men the technique of teaching. Nothing to do with the material.

Mr. COHN. I understand.

Mr. REISS. Just the pure technique.

Mr. COHN. All right, now, are you today a member of the Communist party?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Have you—in 1950, were you secretary of the National Youth Commission of the Communist party of the United States?

Mr. REISS. May I consult with my counsel?

I refuse to answer on the grounds previously stated.

Mr. COHN. Have you ever been known by the name of Julius Remes?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Have you ever been assistant editor of the *Political Affairs Monthly*, theoretical publication of the Communist party?

Mr. REISS. I refuse to answer, on the grounds previously stated.

Mr. COHN. Have you been a paid functionary of the Communist party of the United States?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Have you served on the enlarged National Committee of the Communist party of the United States?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Do you contribute any of the salary that you receive now to the Communist party?

You can consult with counsel any time you want.

Mr. REISS. No, sir.

Mr. COHN. Pardon me?

Mr. REISS. No, sir.

Mr. COHN. You do not?

Mr. REISS. No, sir.

Mr. COHN. Do you contribute any money to the Communist party of the United States?

Mr. REISS. No, sir.

Mr. COHN. You do not. Did you ever?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Did you last year?

Mr. REISS. No, sir.

Mr. COHN. Have you ever taught at the Jefferson School?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Now, were you in 1937 and 1938 an organizer for the Communist party in Michigan and Louisiana?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Is it a fact that when you went to—is it not a fact that when you joined the Polish Delegation to the United Nations, became associated with it, you were instructed by the Communist party not to continue in open association with the party but to go in the underground?

Do you want to read that back, if the witness has difficulty understanding the question?

[Question read.]

Mr. COHN. Again, I say—I see you hesitate—you can consult with counsel any time you want.

Mr. SCHINE. Proceed.

Mr. REISS. I am just thinking.

Mr. COHN. What?

Mr. REISS. Thinking.

Mr. COHN. Are you prepared to answer?

Mr. REISS. I am just thinking for a minute.

Mr. COHN. You want to think for a minute?

Mr. REISS. Just for a minute.

Mr. COHN. Oh, sure. Take all the time you want.

Mr. REISS. Could I smoke?

Mr. COHN. Oh, certainly.

Mr. REISS. No, sir.

Mr. COHN. Pardon me?

Mr. REISS. No, sir.

Mr. COHN. That is not true. Do you know a man by the name of Andy Remes?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. He is your brother, is he not?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Can you tell us whether or not he is in the Communist party underground?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Can you state where he is today?

The CHAIRMAN. May I interrupt, Mr. Counsel? I do not believe he can refuse to answer as to personal relationship, whether he is his brother or not.

Mr. COHN. All right.

Mr. REISS. I can't refuse?

The CHAIRMAN. Uh-huh.

Mr. COHN. Do you have any brothers?

Mr. REISS. I refuse to answer on the same grounds.

The CHAIRMAN. Mr. Counsel, I think that the chair will order the witness to answer. There can be nothing incriminating about the fact he has or has not brothers.

Mr. COHN. Have you ever worked for—

The CHAIRMAN. He was ordered to answer the question.

Mr. COHN. I am sorry. You were directed to answer the question as to whether or not you have any brothers.

Mr. REISS. Yes.

Mr. COHN. You do have brothers. How many?

Mr. REISS. Living?

Mr. COHN. Yes.

Mr. REISS. Two.

Mr. COHN. And what are their first names?

Yes, sir?

Mr. REISS. I was asked the question before and I refused to answer.

The CHAIRMAN. I understand the witness refuses to answer as to the names of his brothers.

Mr. REISS. Sir—

The CHAIRMAN. I think in view of the fact—

Mr. REISS. No, sir, I am just thinking.

Mr. COHN. He is just hesitating.

The CHAIRMAN. Oh.

Mr. COHN. Senator McCarthy, this is Mr. Sloan.

The CHAIRMAN. I am glad to know you, Mr. Sloan.

Mr. SLOAN. How do you do, sir. I am just here as an observer.

The CHAIRMAN. I understand. You are not responsible for anything we do here.

Mr. REISS. Well, I have one brother whom I haven't seen for many years.

Mr. COHN. What is his first name?

Mr. REISS. Many years. Solomon Reiss.

Mr. COHN. What about the other brother? What is his name? And Solomon, what is his last name?

Mr. REISS. Reiss.

Mr. COHN. Reiss, yes. And what is your other brother's first name, Mr. Reiss? Sir?

Mr. REISS. I have a—yes.

Mr. COHN. What is his first name?

Mr. REISS. Andrew Remes.

Mr. COHN. Andrew Remes?

Mr. REISS. His legal name.

Mr. COHN. His legal name?

Mr. REISS. His legal name as far as I know.

Mr. COHN. Where is your brother?

Mr. REISS. May I just—Mr.—

Mr. COHN. Sure.

Mr. REISS. On purely—well, I hesitated speaking—may I say this and then can I stop, and then I will repeat the same thing word for word to—

Mr. COHN. You want to say something off the record?

Mr. REISS. Yes.

Mr. COHN. Go ahead.

[Discussion off the record.]

The CHAIRMAN. Have the record show the witness, on his own request, was allowed to give the committee some information off the record. He desires not to have it on the record. It will not be on the record in this case; but this will be the only case in which we will go off the record.

Mr. REISS. Thank you very much.

Mr. COHN. Where is your brother, Andrew Remes, now?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. When did you see him last?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Is it not a fact he is a member of the Communist underground and out of circulation at the moment?

Mr. REISS. I refuse to answer on the grounds stated.

Mr. COHN. Now, you draw any pay from the Communist party at this time?

Mr. REISS. No, sir.

Mr. COHN. Do you have any identification entitling you to admission to the United Nations zone and grounds and building?

Mr. REISS. Yes, sir. I have an identification card.

Mr. COHN. Could we examine that, please?

Mr. REISS. I do not have it with me.

Mr. COHN. You haven't got it with you?

Mr. REISS. No, sir.

Mr. COHN. Do your duties ever take you over to the United Nations building?

Mr. REISS. Yes, of course.

Mr. COHN. About how frequently?

Mr. REISS. There is no regularity involved. I may go down three times in one week. I think in the last three months I have been down there—I really don't know—maybe once or twice.

Mr. COHN. It hasn't been in session a good deal of the time.

Mr. REISS. But I don't go down there just during sessions.

Mr. COHN. When you go down there, do you confer with various people?

Mr. REISS. Yes, sir.

Mr. COHN. You do. Now, do you know any member—do you know any persons employed by the secretariat of the United Nations?

Mr. REISS. Yes, sir.

Mr. COHN. Do you know any American citizens employed by the secretariat?

Mr. REISS. I know some people there.

Mr. COHN. Could you name the ones you know?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Do you know any Americans employed by the United Nations secretariat who are members of the Communist party?

Mr. REISS. I refuse to answer on the grounds previously stated.

The CHAIRMAN. May I just ask a couple of questions?

Mr. COHN. Yes.

The CHAIRMAN. Do you believe that the Communist party is dedicated to the overthrow of this government by force and violence?

Mr. REISS. I do not.

The CHAIRMAN. You do?

Mr. REISS. I do not.

The CHAIRMAN. You do not. Let me ask you the question again in a slightly different form. Do you believe it is dedicated—strike that.

Do you believe the Communist party is dedicated to the overthrow of this government by force and violence if a Communist government cannot be imposed on this nation by peaceful means?

Mr. REISS. Will you repeat that, please?

Mr. COHN. Would you read it?

[Question read.]

Mr. REISS. Seems to me that the answer to that was embraced in the question that I just answered.

The CHAIRMAN. I am going to ask you to answer this question. It is in slightly different form.

Mr. REISS. Uh-huh!

Mr. FRANCE. Do you understand the question?

Mr. REISS. It is a question of some difficulty for me to grasp. I am not quite sure.

Mr. FRANCE. I wonder if the——

Mr. COHN. I don't agree with that. You have taught at the Workers School, haven't you?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. You have taught courses in Marxism and Leninism. You can answer the question.

The CHAIRMAN. It is a very simple question. You can take all the time you want, but it is a question I am going to order you to answer.

Mr. FRANCE. Would you like the question repeated?

Mr. REISS. No.

The CHAIRMAN. If you want the question read again, you may have it read to you.

Mr. REISS. Would you read the question to me?

[Question read.]

Mr. COHN. Is that so difficult?

The CHAIRMAN. I will be back in a minute. Let the witness think it over, and I will be back.

Mr. COHN. Yes, sir.

[Whereupon, the chairman withdrew from the hearing room.]

Mr. COHN. Do you want to answer?

Mr. REISS. I will, yes.

Mr. COHN. You are still meditating?

Mr. REISS. Yes. Not as easy as it sounds. Do you mean——

[Whereupon, the chairman returned to the hearing room.]

Mr. COHN. He is still thinking. Still thinking of the answer to that question. Huh.

Mr. REISS. You see, I am trying to envision the possible circumstances involved in this question.

Mr. COHN. Let me ask you this preliminary question.

The CHAIRMAN. I think he should answer now.

Mr. COHN. I want to know how much they paid you at the Workers School to teach Marxism and Leninism.

Mr. REISS. I refuse to answer on the grounds previously stated. I have been trying to envision the possible circumstances under which that question would arise and——

The CHAIRMAN. We will give you until 2:30 this afternoon and you think it over and——

Mr. REISS. I can answer.

Mr. COHN. We have other witnesses and can't sit here all day for you to think it out.

Mr. REISS. I think my attorney won't be here, and I would like to answer the question now.

Mr. COHN. We will have to have you back this afternoon anyway.

The CHAIRMAN. Okay. If he wants to answer now——

Mr. REISS. If I have to be back this afternoon, I will wait until this afternoon.

Mr. COHN. Let me ask you this question. Who obtained your job for you at the Polish Delegation to the United Nations?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Was that obtained for you through the intercession of the American Communist party?

Mr. REISS. No, sir.

Mr. COHN. Was it obtained by you—for you through the intercession of any functionary of the American Communist party?

Mr. REISS. I refuse to answer.

The CHAIRMAN. Was there anything illegal in connection with your obtaining that job, as far as you know?

Mr. REISS. No, sir.

The CHAIRMAN. Was—to your knowledge, did you do anything in connection with your obtaining that job that was either directly or indirectly in violation of the laws of the United States?

Mr. REISS. No, sir.

The CHAIRMAN. You are then ordered to answer the question propounded by counsel. If there was nothing illegal in connection with your getting the job, if you are guilty of no illegal activities in connection with your getting the job, you are not entitled to the privilege under the Fifth Amendment, so you answer the question.

You can discuss the matter with counsel at any time you care to, Mr.——

Mr. COHN. Sir?

Mr. REISS. I refuse to answer.

Mr. COHN. Now.

The CHAIRMAN. Have the record show—I believe it is clear, and if I am incorrect in this, counsel, you correct me. I believe the record now shows the witness has stated that he is aware of nothing illegal in connection with his obtaining the job, that he feels he does not know of any law of the United States which he violated either directly or indirectly in obtaining the job. Have the record show that after that appeared I turned and ordered the witness to answer; that the witness consulted with counsel and has again refused to question.

We will let you go until 2:30 this afternoon. We had hoped to finish up with your testimony this morning, but it has taken so much

time to get answers to very, very simple questions from you that we will have to let you go now and take some of the other witnesses whom we promised to handle this morning.

Mr. REISS. Yes, sir.

The CHAIRMAN. 2:30 this afternoon, and in case we are late in that, we have other matters which we have to take care of, you will be instructed to wait until we get to you.

Mr. COHN. I would like to have you answer one last question. I don't know whether I asked it before or not. Did you work for Abraham Unger in 1950?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Did you—were you engaged in any activities connected with the defense of the indicted Communist leaders?

Mr. REISS. I refuse to answer.

Mr. COHN. Were you paid money for those activities by the Communist party?

Mr. REISS. I refuse to answer.

Mr. COHN. Okay.

Mr. FRANCE. It appears that all these refusals are based on the same reason as before.

Mr. COHN. The answers—the ground the answers might tend to incriminate him.

Mr. REISS. Yes.

The CHAIRMAN. Yes. I think, just off the record—

[Discussion off the record.]

Mr. REISS. I should like to state that all my refusals have been on the basis of my privilege under the Fifth Amendment to the Constitution.

[Witness excused.]

TESTIMONY OF FLORENCE ENGLANDER

The CHAIRMAN. Will you raise your right hand.

This matter now in hearing before the committee, do you solemnly swear to tell the truth and nothing but the truth, so help you God?

Miss ENGLANDER. Yes.

Mr. COHN. Could we have your full name?

Miss ENGLANDER. Florence Englander.

Mr. COHN. Where are you employed?

Miss ENGLANDER. At the United Nations.

Mr. COHN. In what capacity?

Miss ENGLANDER. My title is social affairs officer.

Mr. COHN. Social affairs officer. And for how long a period of time have you been employed at the United Nations?

Miss ENGLANDER. Exactly seven years.

Mr. COHN. Seven years?

Miss ENGLANDER. Yes.

Mr. COHN. What is your salary?

Miss ENGLANDER. I think it is \$6200. I am not exactly sure.

Mr. COHN. Is that net of taxes?

Miss ENGLANDER. That is my gross salary.

Mr. COHN. Have you ever been a member of the Communist party?

Miss ENGLANDER. Yes, sir.

Mr. COHN. During what years?

Miss ENGLANDER. I think 1935 to 1940.

Mr. COHN. 1935 to 1940?

Miss ENGLANDER. Yes. The——

Mr. COHN. Did you have any associations with the Communist party after 1940?

Miss ENGLANDER. None at all.

Mr. COHN. None whatsoever?

Miss ENGLANDER. None whatsoever.

Mr. COHN. Have you had any association with any Communists since 1940?

Miss ENGLANDER. On one occasion.

Mr. COHN. What was the name of that Communist?

Miss ENGLANDER. Louise Schatz.

Mr. COHN. Will you spell that?

Miss ENGLANDER. S-c-h-a-t-z.

Mr. COHN. When was that?

Miss ENGLANDER. In 1940. Well, she mentioned to me in 1947——

Mr. COHN. What was the nature of your association with her?

Miss ENGLANDER. Well, I didn't know at the time, you see, we shared an apartment together, and one day she just felt inclined to tell me this.

Mr. COHN. With that one exception, have there been any other Communists with whom you have been associated?

The CHAIRMAN. May I interrupt off the record?

[Discussion off the record.]

Mr. COHN. Will you be back at 3:30?

Miss ENGLANDER. Here?

Mr. COHN. Yes.

[Witness excused.]

[Whereupon, at 11:15 a.m. a recess was taken until 2:30 p.m.]

AFTERNOON SESSION

[Whereupon, at 3:25 p.m. this day, the hearing was resumed pursuant to the taking of the recess.]

TESTIMONY OF JULIUS REISS (ACCOMPANIED BY HIS COUNSEL, ROYAL W. FRANCE) (RESUMED)

Mr. REISS. Mr. Senator, I would like to make a statement.

The CHAIRMAN. Will you please try to speak louder?

Mr. REISS. I would like to make a statement on one of the questions I answered this morning.

The CHAIRMAN. You may.

Mr. REISS. I would like that answer, that I did not know anything illegal about my appointment—I wish to make it clear that I know of nothing illegal about an American citizen obtaining a position with any delegation to the United Nations and in so stating, I did not state that discussions of any associations which may have led to my being recommended to the Polish Delegation might not tend to incriminate me, and that was the basis for my refusing to answer, as to who recommended me.

The CHAIRMAN. I don't understand. I frankly don't understand what you said at all.

Mr. REISS. I can just repeat it.

The CHAIRMAN. Read it a little louder.

Mr. COHN. Let's see if I can explain it off the record.

The CHAIRMAN. Let's take it on the record. Everything should be on the record.

Mr. COHN. All right.

Is this what you are trying to say, that you did state there was nothing illegal about your obtaining employment, the manner in which you obtained it, or about your continuing the employment, you said in your knowledge, you had no knowledge about anything illegal; but you went on and claimed a Fifth Amendment privilege on whether or not your job was obtained for you by a top functionary of the American Communist party. You are now saying your claiming of the privilege as to which individual got the job for you and what discussion preceded getting the job was not meant in any way to indicate there was anything illegal about your obtaining the job. You decline to answer who got the job for you because of the possibility of Communist associations tending to incriminate you; is that substantially accurate?

You may confer with counsel.

Mr. FRANCE. May I make a statement?

The position that the witness takes is, as I understand it, that in stating that he knew nothing illegal about his being appointed as an employee of the Polish Delegation, he did not state that there might not have been recommendations made which would involve associations which might tend to incriminate him and, therefore, when the question came about the recommendations, he felt that that was a different question.

The CHAIRMAN. Let me ask you this question: Do you know of anything illegal on your part in connection with your getting this job—any illegal activities on your part, not on the part of someone else?

Mr. REISS. I refuse to answer on the ground of the Fifth Amendment.

The CHAIRMAN. Do you feel that if you told the truth, that answer might tend to incriminate you?

Mr. REISS. I think that in the light of the—

The CHAIRMAN. Will you try to speak louder? I can't—

Mr. REISS. Yes, in the light of the situation and the connotations thereof, I would have to refuse to answer on the ground that it might tend to incriminate me.

The CHAIRMAN. The question is, are you refusing because you think a truthful answer might tend to incriminate you?

Mr. REISS. No. I would like to repeat the answer that in the light of the present general political situation I feel that any answer that I might give might tend to incriminate or degrade me.

The CHAIRMAN. You will not be allowed the privilege under those circumstances. If you say any answer, that means you commit perjury. You know that. The question is: Do you think that a truthful answer to the question would tend to incriminate you?

Mr. REISS. I say that in the answer—that I included in the answer the idea of the truth of the answer.

The CHAIRMAN. I can't hear.

Mr. REISS. I say that I included the idea of the truthful answer.

The CHAIRMAN. I am asking the question: Do you feel that a truthful answer would tend to incriminate you? The answer is yes or no.

Mr. REISS. I think that as I said before, that the answer might tend to incriminate me under present circumstances.

The CHAIRMAN. A truthful answer.

Mr. REISS. That a truthful answer might tend to incriminate me under the present circumstances.

The CHAIRMAN. Then you are entitled to the privilege.

Mr. COHN. Mr. Reiss, may I ask you this?

Mr. REISS. Yes, sir.

Mr. COHN. You are employed by the——

The CHAIRMAN. Can I ask one question?

Mr. REISS. Yes.

The CHAIRMAN. What was your baptismal name?

Mr. REISS. Julius Reiss.

The CHAIRMAN. Julius Reiss?

Mr. REISS. Yes, sir.

The CHAIRMAN. I believe you refused to answer this question, I am not sure. Did you later change your name to Joel Remes?

Mr. REISS. I refuse to answer.

The CHAIRMAN. Has Julius Reiss always been your legal name?

Mr. REISS. Yes, sir.

The CHAIRMAN. Pardon me.

Mr. COHN. Joel Remes was and is your Communist party name, is it not?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Now, sir, you work for the Polish Delegation.

Mr. REISS. Yes.

Mr. COHN. The Polish government is of course under Communist domination today; is that correct? That is a historical fact, is it not?

Mr. REISS. I would like to ask a question: what you mean by Communist?

Mr. COHN. What do you think?

Mr. REISS. As far as I know, there is a legally elected government.

Mr. COHN. I see.

Mr. REISS. In which members of the Communist party represent, and I think also other parties. I can't remember the names exactly, but there are other parties.

Mr. COHN. I see.

The CHAIRMAN. I just recall one of the reasons we gave this morning for the recess was to let him consider his answer to the question which had been propounded this morning. Have you arrived at an answer to that yet?

Mr. REISS. Could you repeat that?

Mr. FRANCE. Wants to know whether you are ready to answer.

The CHAIRMAN. The question was—I will re-ask the question. Do you believe that the Communist party advocates the overthrow of this government by force and violence if a Communist form of government cannot be imposed upon this nation by peaceful means?

Mr. REISS. I said I do not feel that that question can be answered yes or no. To discuss it would lead me into a long discussion of Communist theory, which might involve questions as to the basis

of my knowledge or beliefs, and that might tend to incriminate me. I also feel that that question that you ask is outside the scope of the congressional committee, and in my refusal to answer that question and other refusals, I invoke the protection of the First and Fifth Amendments.

The CHAIRMAN. In other words, you refuse to answer on the grounds that a truthful answer might tend to incriminate you?

Mr. REISS. Yes, sir.

The CHAIRMAN. You are entitled to the privilege.

Mr. COHN. Yes.

Now, let me ask you this, Mr. Reiss: In your opinion, who was responsible—who was the aggressor in the Korean War?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. I see. If you were called upon—If you had been called upon during the Korean War to fight in opposition to the Communist forces, would you have done so?

You can consult with counsel.

Mr. REISS. I am an American citizen. I did serve before and I think if called upon, I will naturally serve.

Mr. COHN. Including bearing arms against the Communists?

Mr. REISS. That would have been my—necessary under the Constitution of the United States.

The CHAIRMAN. If you could try to speak up.

Mr. REISS. I am sorry, sir.

The CHAIRMAN. I can't hear you.

Mr. REISS. Yes, sir. As I did previously in the other war, I would have done it here.

The CHAIRMAN. In other words—if I may, counsel—do I understand then that if today or tomorrow we get into a war with Communist Russia and you were called upon to bear arms against Communist Russia and fight for the United States, your testimony is that you would do that?

Mr. REISS. I am sorry, sir. Could you repeat that question once more?

Mr. COHN. Would you read the question?

[Question read.]

The CHAIRMAN. Note for the record that the witness consults with counsel.

Mr. REISS. Senator, it seems to me that involves a great many hypothetical questions.

The CHAIRMAN. Uh-huh!

Mr. REISS. But I think it is clear that since I am an American citizen subject to the laws of the United States, if I were called into the army of the United States and to serve in it, I would have to do so.

The CHAIRMAN. Would you be willing to do so if we were fighting Communist Russia?

Mr. REISS. On the question, I am not sure I know what you mean by the word "willing."

The CHAIRMAN. Would you refuse to do so?

Mr. REISS. I have already stated if I were called upon to enter the United States Army, I would do so.

The CHAIRMAN. Even if we were fighting Communist Russia?

Mr. REISS. I believe that that, again I believe that involves so many hypothetical questions as to a possible war between the United States and Russia, a war which I certainly do not hope will take place and which I personally feel peaceful desires both of the United—American people and the Russian people will prevent from coming into existence because It would be certainly a disaster for the entire world. But I think it is clear that if in the event of such a war as in the case of a war against Germany, when I was drafted into the army, I entered into the army and performed my duties. If I were drafted into the army, I would perform my duties there.

Mr. COHN. Do you believe in our form of government or do you believe in communism?

Mr. REISS. Seems to me that—is that one or two questions?

Mr. COHN. Let's break it down. Do you believe in communism?

Mr. REISS. I refuse to answer on the basis of the Fifth Amendment.

Mr. COHN. Do you believe in our form of government? Do you believe in a capitalistic democracy?

Mr. REISS. I refuse to answer on the basis of the First and Fifth Amendments.

Mr. COHN. I see. Have you—when were you last in consultation with any functionaries of the Communist party of the United States?

Mr. REISS. I refuse to answer on the grounds previously stated—on the ground of the Fifth Amendment.

Mr. COHN. Were you in consultation within the last six weeks with any functionaries of the Communist party of the United States concerning the forthcoming meetings of the United Nations General Assembly?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Very specifically, within the last two weeks were you in consultation with any functionaries of the Communist party of the United States concerning the General Assembly of the United Nations which was to commence this month?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Specifically, were you in consultation with any functionaries of the American Communist party concerning the formulation of policy concerning an issue which was to arise in the General Assembly of the United Nations?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. I will ask the same question specifying were you in consultation with functionaries of the American Communist party concerning formulation of policy on the handling of the Korean peace issue at the meeting of the General Assembly?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Now, have you ever been in Poland, by the way?

Mr. REISS. No, sir.

Mr. COHN. Have you ever been abroad?

Mr. REISS. No, sir.

Mr. COHN. You have not. Now, let me ask you this question: Do you know—

Mr. REISS. May I interrupt?

Mr. COHN. Yes, sure.

Mr. REISS. When you say abroad, do you mean Canada, for example?

Mr. COHN. Any place outside the Continental United States.

Mr. REISS. Yes, sir. I was. I was in about 1925 or 1926. I went to Canada.

Mr. COHN. Have you ever had any connection with the United States Treasury Department in any way?

Mr. REISS. United States Treasury Department? So far as I know, no.

Mr. COHN. Do you know William Z. Foster, national chairman of the Communist party?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Have you held any position in the United States government in any agency other than your army service at any time?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Whether or not you ever worked for any agency of the United States government? I don't understand that, you refuse to answer that.

Mr. REISS. Yes.

Mr. COHN. What agency?

Mr. REISS. I was on relief for WPA.

Mr. COHN. You were on relief, drawing relief funds?

Mr. REISS. Of WPA.

Mr. COHN. Were you an employee?

Mr. REISS. Yes.

Mr. COHN. And what—during what years?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. When you were with the WPA, were you a member of the Communist party?

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. Do I understand the witness refuses to tell what years he worked for the WPA?

Mr. COHN. Apparently.

The CHAIRMAN. Are you refusing to tell us what years you worked for the WPA?

Mr. REISS. That was the answer.

The CHAIRMAN. You will be ordered to answer that question. I will be glad to hear, if your counsel thinks you are entitled to the privilege.

Mr. FRANCE. I understand the position the witness has stated, that he feels that to answer about his employment from the years—what was it? From 1936 on—might tend to incriminate him.

Mr. REISS. 1934.

Mr. FRANCE. And that any employment that he had during that period might lead to questions about other matters or associations which might tend to incriminate him even though the mere fact of being on relief with WPA itself would not tend to do. That is what I understand to be his position.

Mr. REISS. Yes.

The CHAIRMAN. I may say that while the Fifth Amendment, Mr. Counsel, is very broad and very liberally interpreted, it is the position of the chair that he is not entitled to refuse to tell us what dates he worked for the government.

If we start questioning him about any activities which might be considered illegal, he could refuse to answer, but as far as the dates and the agency, I believe he would not be entitled to the Fifth Amendment privilege. It is all a matter of record. I am going to order him to answer the question.

I may say for counsel's benefit it will lead to other questions as to what other agencies of the government he worked for.

Mr. REISS. Well, sir, I can't remember the exact dates. It was sometime—sometime in 1935 and 1936, and as far as I can recollect, it was sometime in 1939 and 1940.

The CHAIRMAN. In other words, from 1935 or 1936 until 1939 or 1940.

Mr. REISS. No, no. It was during 1935 and 1936 and during 1939 and 1940.

The CHAIRMAN. In other words, two periods of time?

Mr. REISS. Yes.

The CHAIRMAN. Did you work for any other government agency?

Mr. REISS. Outside of the army, let's see. No, sir. Except the army, of course.

The CHAIRMAN. You were drafted into the army. You spent how many years in the army?

Mr. REISS. From May 1942 to June—to September of 1945.

The CHAIRMAN. And you were teaching the technique of teaching at that time?

Mr. REISS. Yes, sir.

The CHAIRMAN. Did you ever attempt to indoctrinate your students with the philosophy of communism?

Mr. REISS. No, sir. That was a purely technical subject, and I taught nothing except the subject itself.

The CHAIRMAN. Did you ever solicit any of your students to join the Communist party?

Mr. REISS. No, sir.

The CHAIRMAN. We are not discussing your testimony.

Mr. REISS. This isn't that funny.

Mr. COHN. No. It certainly isn't.

I had asked you originally about William Z. Foster. You claimed the privilege.

The CHAIRMAN. Can I ask one more question?

Mr. COHN. Sure.

The CHAIRMAN. At the time you were teaching the technique of teaching in the army, did you attend Communist party meetings?

Mr. REISS. I refuse to answer under the grounds of the Fifth Amendment.

The CHAIRMAN. Did you during that period of time attend any Communist party meetings which were attended by your students also?

Mr. REISS. I think that since I have already invoked the privilege on the question of whether or not I attended any other—any Communist meetings, I would have to invoke it here, too.

The CHAIRMAN. In other words, you feel if you told us the truth as to whether you attended Communist party meetings which were attended by your students while you were teaching in the army, that truthful answer might tend to incriminate you?

Mr. REISS. I think I would like to repeat just what I said a moment ago, that since I have already invoked the Fifth Amendment in regard to the question of whether or not I attended any Communist meetings during that period, I would have to invoke it also on this same question.

The CHAIRMAN. May I say you can only invoke it if you think a truthful answer would tend to incriminate you. This is an entirely different question. The other question is whether or not you attended Communist meetings. You refused to answer that. The question is now, did you attend Communist meetings in that period of time which were also attended by your students? If you did not attend such meetings, of course, the answer could not incriminate you.

If you did attend, such meetings, then it is possible that your answer might tend to incriminate you. So when you say you are invoking the privilege because you refused to answer a previous question, that is not sufficient ground. The only ground upon which you can invoke it is if you feel a truthful answer might tend to incriminate you. If you feel that a truthful answer might tend to incriminate you, you can refuse to answer.

So the pending question is: Do you feel that a truthful answer to that question might tend to incriminate you?

May I say for counsel's benefit that the chair takes the position that you are not entitled to the privilege if you feel that perjury might incriminate you; that you are only entitled to the privilege if you honestly feel that a truthful answer might tend to incriminate you. That is why I asked the question, so we can determine whether or not he is entitled to the privilege.

Mr. REISS. On that basis, I would say that I have no knowledge of any student of mine having attended a Communist meeting.

The CHAIRMAN. Did you ever attempt to—strike “to.”

Did you ever discuss the Communist philosophy—strike that again, I am sorry, Mr. Reporter.

Did you ever try to in effect sell the Communist philosophy or sell communism or indoctrinate the young men who were your students outside of the classroom? You already said you did not try to indoctrinate them in the classroom. The question is, did you try to do it outside the classroom?

Mr. REISS. I refuse to answer on the grounds of the Fifth Amendment.

Mr. CHAIRMAN. You are entitled to it.

Mr. COHN. Now, you are—I asked you about Mr. Foster. Now, did you at any time serve as aide to William Z. Foster in the Communist party.

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Did you accompany him constantly during any period of time?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Do you know Eugene Dennis?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Do you know Simon Gerson?

Mr. REISS. I refuse to answer on the grounds previously stated.

Mr. COHN. Have you ever been arrested or convicted of a crime?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you in the year 1936 in the state of Michigan?

Mr. REISS. 1936?

Mr. COHN. Yes.

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you there in 1937?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you a Communist party organizer in the year 1937?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you a Communist party organizer in Louisiana during part of the year 1937?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you arrested on May 26, 1937 in New Orleans, Louisiana, for Communist activities?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you at that time, secretary of the Communist party in Louisiana?

Mr. REISS. I refuse to answer.

Mr. COHN. At 130 Chartres Street?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Did you give your New York address as the headquarters of the Communist party of the United States on 12th Street?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Were you convicted of a violation of Section 1436 of the Michigan Penal Code in 1937? Sir?

Mr. REISS. Just trying to rack my brain.

Mr. COHN. Or Act 1—rather Section 902 of Act 107, both?

Mr. REISS. What was that? I don't know what those—

Mr. COHN. Section 107—the charge was no visible means of support and vagrancy and specifically—well, let's say that is the charge.

Mr. REISS. Where was this?

Mr. COHN. New Orleans, Louisiana.

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. I will show you a document, which I will deem marked Exhibit 1, and ask you to examine that and then tell us.

Mr. REISS. I have read it.

Mr. COHN. Does that refresh your recollection? I will ask you the question again: Is your answer the same?

Mr. REISS. The answer is the same.

Mr. COHN. I will now show you a picture which I will deem marked Exhibit 2 and ask you whether or not that is your picture.

Mr. REISS. I refuse to answer under the grounds previously stated. On the same grounds. Pretty.

The CHAIRMAN. Is 35 East 12th Street, New York City, the headquarters of the Communist party?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Interpreting this question broadly, Mr. Reiss, have you ever engaged in any espionage activities against the United States?

Mr. REISS. What do you mean, "broadly"?

Mr. COHN. I will just ask the question: Have you ever engaged in any espionage activities against the United States in connection with the Polish Delegation to the United Nations or to the Polish Government?

Mr. REISS. Never.

Mr. COHN. Pardon me?

Mr. REISS. Never.

Mr. COHN. Have you ever engaged in sabotage?

Mr. REISS. What do you mean by sabotage?

Mr. COHN. You know what sabotage is.

The CHAIRMAN. May I?

Mr. COHN. Yes.

The CHAIRMAN. Mr. Cohn, you asked whether or not he engaged in espionage or—was it for the Polish Government? I would like to reframe that and say: Have you ever engaged in any espionage activities in this country?

Mr. REISS. No, sir.

The CHAIRMAN. Are you aware of any espionage activities on the part of anyone in this country?

Mr. REISS. Shall I answer that now or wait for the senator?

Mr. COHN. No. You can answer.

Mr. REISS. I will say I am aware of the—from the press—that people—

Mr. COHN. No, no. Have you any personal knowledge?

Mr. REISS. Personal knowledge of espionage activities?

Mr. COHN. That is right.

Mr. REISS. No, sir.

Mr. COHN. Have you any personal knowledge of activities seeking to bring about the establishment or a Communist government in the United States?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Have you in cooperation with any member or anyone connected with the Polish Delegation engaged in any activities?

Mr. REISS. To establish a Communist—

Mr. COHN. That is right, toward establishing the Communist government in the United States?

Mr. REISS. No, sir.

Mr. COHN. You say you have not?

Mr. REISS. No, sir.

Mr. COHN. Would you read that last question and answer, please, Mr. Reporter?

[Record read.]

Mr. COHN. Have you—

The CHAIRMAN. What did the witness have to say about it? About what activities, espionage activities—

Mr. COHN. He says he has no knowledge of that.

The CHAIRMAN. In other words, do I understand you are not aware of any espionage activities on the part of anyone?

Mr. REISS. No, sir.

The CHAIRMAN. Have you ever discussed, Mr. Reiss, either past or potential espionage activities on the part of any members of the Communist party with other members of the Communist party, that is? If you don't understand—

Mr. REISS. Yes, I don't quite understand that.

The CHAIRMAN. Let me rephrase it. Have you ever discussed with any members of the Communist party or heard discussed at any Communist party meetings any espionage activities on the part of any individuals?

Mr. REISS. I refuse to answer under the grounds previously stated.¹

Mr. COHN. Have you ever transmitted any information from the American Communist party to any official of the Polish Delegation of the United Nations?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Have you ever transmitted any information from any member of the Polish Delegation to the United Nations to the American Communist party?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. Who is your immediate superior up at the Polish—

Mr. REISS. My superior? The permanent representative of the delegation.

Mr. COHN. Who is that?

Mr. REISS. Mr. Henryk Birecki.

Mr. COHN. Is he a member of the Communist party?

Mr. REISS. I have no knowledge.

Mr. COHN. You have no knowledge?

Mr. REISS. No, sir.

Mr. COHN. Have you ever discussed communism?

¹ In public testimony on September 17, Julius Reiss answered: "As I have stated, I have never been at any meeting where I have heard espionage advocated." Senator McCarthy then read Reiss' refusal to answer the question in his executive session testimony, and said: "The grounds previously stated were that a truthful answer might tend to incriminate you. You tell us today that you did not here discuss any espionage activities. Therefore when you appeared in executive session and told us that a truthful answer might tend to incriminate you, you were not properly invoking the fifth amendment, which of course makes you in contempt of the committee. This is a very important constitutional right which you nor any other Communist can play around with, and you don't play around with it with this committee."

I will ask the committee to cite you for contempt or perjury because you were not telling the truth when you told us that a truthful answer would tend to incriminate you. Today you said you were not present when such activities were discussed.

I may say there will be some delay in getting the citation. Can't take it up until the Senate meets. But I am getting very sick of you men engaged in the Communist conspiracy who come before this committee and abuse the privilege granted under the fifth amendment. It is a very important privilege. You are not going to use it to cover up your conspiracy, if I can help it. You will be entitled to use the privilege wherever you have the right."

The CHAIRMAN. May I just off the record——

[Discussion off the record.]

Mr. COHN. Were you born here or a naturalized citizen?

Mr. REISS. I was born here.

Mr. COHN. What is your date of birth?

Mr. REISS. October 24, 1907.

Mr. COHN. Where were you born?

Mr. REISS. New York City.

Mr. COHN. Are you married, by the way?

Mr. REISS. Yes.

Mr. COHN. Is your wife a member of the party?

Mr. REISS. I refuse to answer under the grounds previously stated.

Mr. COHN. What is your wife's maiden name?

Mr. REISS. Gertrude Weixel.

Mr. COHN. Gertrude what?

Mr. REISS. W-e-i-x-e-l.

Mr. COHN. By the way, what was your rank when you were discharged from the army?

Mr. REISS. Technical sergeant.

The CHAIRMAN. Were you under—pardon me, counsel.

Mr. COHN. Go right ahead.

The CHAIRMAN. Were you under orders from the Communist party at the time you were teaching in the army?

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. I am going to show you a number of copies of the *Daily Worker*. The first one is dated April 12, 1947, page 5, and there is an ad here which reads:

Tonight. Tonight 8:15 p.m. Joel Remes, Secretary National Youth Committee, Communist Party, Assistant Editor Political Affairs, speaks on Marxism and Liberalism. Admission 25 cents. 201 Second Avenue. Henry Forbes

—is that the section? "Henry Forbes section." I believe the other word is.

I am going to show this to you and see if—and then ask whether this Joel Remes described in that ad is you.

Mr. REISS. I refuse to answer under the grounds of the Fifth Amendment.

The CHAIRMAN. I wonder if you would hand it back? I have some other questions I want to ask you.

I call your attention to the *Daily Worker* of May 3, 1946, page 13, an article entitled "New Pamphlet on Socialism, Weapons for Same," and the subhead, "Socialism: What's In It For You?" by A. B. Magill, New Century Publisher, 10 cents."

The next subhead, "Reviewed by Joel Remes."

I want to hand that to you and ask you if that Joel Remes is you.

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. I have several other questions to ask you about articles in the *Daily Worker*, and I perhaps could dispense with asking them; you would repeat your answer. But to make the record complete, I will go through the motion of asking. I also——

Mr. REISS. Do you want to ask them all and then give them back to me?

The CHAIRMAN. I think that is a good suggestion. One dated November 5, 1946, page 11:

Communist Party on Theory and Practice, reviewed by Joel Remes.

Another one is dated—another issue of the *Daily Worker* dated June 25, 1941, page 5.

I believe I will have to ask you about each one individually because the matter is different.

May I ask whether the Joel Remes referred to in the November 5, 1946 articles, "Communist Party on Theory and Practice reviewed by Joel Remes" is that Joel Remes is you?

I assume you refuse to answer that?

Mr. REISS. Yes. I wanted to look at it. I refuse to answer. Just let me take a look at the others.

The CHAIRMAN. The next one has no significance. The one after that.

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. I may say, Mr. Counsel, just off the record—
[Discussion off the record]

The CHAIRMAN. Have the record show the witness indicates that he merely refuses, unless he states some other ground, the ground is the Fifth Amendment.

I have page five of the *Daily Worker* dated June 25, 1941, an article entitled, "Workers School offers course in world politics." This is in the nature of a news story, and it states that Joel Remes will conduct the class which will be one of twenty classes offered during that summer.

Number one: Did you conduct such a class and are you the Joel Remes referred to therein?

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. I have the *Daily Worker* dated June 14, 1941, page—I believe it is page eight—an article entitled "Registration opened for special Marxist summer courses to begin July 7." Is this Joel Remes referred to in here?

Mr. COHN. Yes.

The CHAIRMAN. This story also refers to Joel Remes of the Workers School faculty.

Question: Is this Joel Remes referred to herein you, and, No. two, did you conduct such classes?

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. I wonder if you will stay here a second and save the trouble of passing it back and forth.

I also have the *Daily Worker* dated Tuesday, September 30, page three, an article entitled, "Keep on your toes at Workers School," subhead, "Special course for outstanding teachers and additions to curriculum," and Joel Remes is referred to again in this. Is that Joel Remes you?

Mr. REISS. I refuse to answer under the grounds previously stated.

The CHAIRMAN. One final question on this *Daily Worker* of September 24, 1941, page three. "Workers School course to study Socialist State."

I don't see——

Will you strike the last one, Mr. Reporter. I think that is all.

Mr. Counsel, have you any further questions?

Mr. COHN. No, Mr. CHAIRMAN.

I was saying to the senator we will definitely want Mr. Reiss back probably sometime in the course of tomorrow. There is no use making him sit around all day, so the best thing for him to do. We are hearing other witnesses concerning his case, and there will come a point where we will have to call him back to get additional information.

Mr. FRANCE. I wonder, Senator, if I might ask this favor. I am engaged with out of town people tomorrow morning. I wonder if this could be tomorrow afternoon?

Mr. COHN. We will certainly try to accommodate you.

The CHAIRMAN. I think we will give you the definite promise he will not be called tomorrow morning.

Mr. COHN. You know at all times where you can get him. We will wait until we need him and then we will get in touch with you. We will skip tomorrow morning in deference to your request.

The CHAIRMAN. You understand, Mr. Reiss, instead of having you sit around in the outer room waiting until you are called, we will leave it that when we need you, we will call your counsel.

Mr. FRANCE. Thank you.

The CHAIRMAN. And let him know where you are at all times so he can get you in a half hour's notice.

Mr. REISS. In terms of time, it will be in the daytime?

The CHAIRMAN. Yes.

Mr. REISS. Between what hours?

The CHAIRMAN. Never be before ten; never be after at the very latest 4:30. In other words, you need not worry about it before ten o'clock and need not be worried after 4:30. In fact, I would say four o'clock. Let's make it four o'clock. After four o'clock we won't be calling you.

Mr. FRANCE. Excuse me. For your information, my telephone number is MU 6-0450.

Mr. COHN. Mr. Reiss, I forgot to ask you this. Confirmatory of something. How many other American citizens work in the Polish Delegation?

Mr. REISS. How many others?

Mr. COHN. Yes.

Mr. REISS. I really can't answer that, I am sorry.

Mr. COHN. Will you name the ones? Would you name the ones that you know of?

Mr. REISS. You mean the ones I actually know on the permanent staff there?

Mr. COHN. Yes.

Mr. REISS. I don't know their names. Right now I think there is a chauffeur named Sal.

Mr. COHN. How do you spell it?

Mr. REISS. S-a-l. That is a chauffeur.

Mr. COHN. Who else?

Mr. REISS. Employed there now?

Mr. COHN. Yes.

Mr. REISS. There is a cleaning woman who comes in there and I don't know who she is employed by.

Mr. COHN. Let's forget about the cleaning woman for the moment.

Mr. REISS. Employed in the office of the permanent delegation?

Mr. COHN. I don't know about permanent or temporary or anything like that; but any other American citizen working for the Polish Delegation.

Mr. REISS. The only one I know of is this fellow Sal.

Mr. COHN. You know of no others?

Mr. REISS. No.

Mr. COHN. Do you know of any Americans employed by any other foreign delegations?

Mr. REISS. By my other office?

Mr. COHN. Specifically, do you know of any American employed by the Czechoslovakian Delegation?

Mr. REISS. No, sir, I don't know whether they employ them or not.

Mr. COHN. Do you know of any other American employed by another foreign delegation to the United Nations?

Mr. REISS. Any other American employed by foreign delegations?

Mr. COHN. Yes.

Mr. REISS. Frankly, I don't know. I might have bumped into somebody, any of the other delegations, and it is possible I might know, but at the moment it doesn't strike me.

Mr. COHN. Okay. Thank you.

The CHAIRMAN. One final question. Did you ever make arrangements for or accompany any Polish delegate to the Communist headquarters where he spoke to a group?

You are not clear on that?

Mr. REISS. Yes, I understand the question.

No, sir.

The CHAIRMAN. I have nothing further.

Mr. COHN. Okay.

Mr. FRANCE. Good night.

[Witness excused.]

TESTIMONY OF FLORENCE ENGLANDER (RESUMED)

The CHAIRMAN. Just one or two questions.

Miss ENGLANDER. Yes.

The CHAIRMAN. I understand from our chief of staff that you are willing to give the FBI any information you have about the——

Miss ENGLANDER. Yes.

The CHAIRMAN. [continuing]. Communist activities?

Miss ENGLANDER. Yes.

The CHAIRMAN. I think, Frank, what you ought to do is inform Mr. Hoover and tell him if they want to have a young lady drop in on this young lady, she will give any information she can, and you can arrange if possible at her convenience——

What hours do you work?

Miss ENGLANDER. 9:30 to 6:00, five days a week.

The CHAIRMAN. Have you any further questions?

Mr. COHN. No. I think what we can do, Mr. Chairman, in view of the fact the witness desires to be cooperative, we can work with her on this and go over everything and we won't have to bother.

The CHAIRMAN. Your name will not be given to the press, incidentally, unless you give it to them. No one will know you are here unless you tell the press.

The young man here from the United Nations, Mr. Sloan——

Miss ENGLANDER. Yes, sir.

The CHAIRMAN. And he has been told he has the freedom to discuss it with you as your superior but not any member of the public. I merely mention to clear you on it, your name will not be given out publicly unless you give it out.

Let me ask this. I assume, having worked some five years in the Communist party having attended meetings and that sort of thing, you will be able to give the FBI a sizeable number of names?

Miss ENGLANDER. Yes, I will, whatever I recall.

The CHAIRMAN. I don't think we should go into that now, if she is willing to give that to the FBI. That should be sufficient.

You are not excused yet from the subpoena. I don't think we will want you further, but consider yourself under the subpoena in case we need you for some further information.

Miss ENGLANDER. Goodbye.

The CHAIRMAN. Good luck to you.

Miss ENGLANDER. Thank you.

[Whereupon, at 4:30 p.m., the hearing was adjourned.]

SECURITY—UNITED NATIONS

[EDITOR'S NOTE.—Paul Crouch (1903–1955) had been court-martialed by the U.S. Army in 1925 for attempting to form a Communist League among soldiers in Hawaii. In his defense he testified: "I am in the habit of writing letters to my friends and imaginary persons, sometimes to kings and other foreign persons, in which I place myself in an imaginary position. I do that to develop my imaginary powers. That is why this letter was written. Part of it is true and part of it is not." Convicted, he served two years at Alcatraz. On his release, he became active in the Communist party and remained a member until 1942, after which he served as an expert witness in numerous judicial and congressional proceedings against alleged Communists. Crouch's memorandum on "Communist Infiltration of the American Armed Forces" was one of the factors leading to the subcommittee's investigation at Fort Monmouth.

In 1954, the newspaper columnists Joseph and Stewart Alsop branded Crouch as a "powerful imaginer," who fabricated many of his allegations. They asserted that "the Government has a duty to investigate the reliability of the informers it hires." After the Justice Department launched an investigation, Crouch was dropped as a paid consultant in deportation cases for the Immigration and Naturalization Service. Crouch then wrote to J. Edgar Hoover, demanding that the FBI investigate the attorney general and his staff for the "frame-up conspiracy" against him. He also filed a libel suit against the Alsops, claiming that his reputation "as an expert witness, writer, lecturer, and researcher into communism and Communist infiltration in the United States had suffered." The case never went to trial. Crouch testified in public session on September 17, 1953.

Abraham Unger (1899–1975), a founder of the National Lawyers Guild, had appeared as counsel for Communist party leaders accused of violating the Smith Act, and Jacob Reiss had worked as a researcher for that case. In his testimony, Although Unger did not invoke the Fifth Amendment, he adopted a strategy that the chairman compared to filibustering. During Unger's appearance at a public session on September 18, Senator McCarthy ordered him removed from the hearing room. On August 16, 1954, the Senate cited Unger for contempt for his failure to answer questions on the grounds that the the subcommittee had "no authority to inquire into the political beliefs and opinions of any other person." On July 27, 1955, Judge Edward Weinfeld dismissed the charges against Unger. The U.S. Court of Appeals unanimously upheld the dismissal, finding that the subcommittee lacked legislative authority to investigate subversive activities by individuals outside the government.

Speaking to reporters after this executive session, Senator McCarthy said that a \$12,000-a-year American "high official" of the UN secretariat had admitted friendship with Communists and had contributed to organizations listed by the attorney general as Communist fronts. Despite the chairman's demands that the UN dismiss this "high official," Dimitry Varley (1906–1984) remained in his position as an economist at the UN; nor were any charges of perjury brought against him. Alice Ehrenfeld [Weil] (1925–1996) later became the first woman assistant secretary general at the United Nations, and director of the UN's General Legal Division. Neither Varley nor Ehrenfeld testified in public.]

TUESDAY, SEPTEMBER 15, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, N.Y.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 10:30 a.m., in room 128, of the United

(1833)

States Court House, Foley Square, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; and G. David Schine, chief consultant.

TESTIMONY OF PAUL CROUCH

The CHAIRMAN. Will you stand and raise your right hand, please?

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CROUCH. I do.

Mr. COHN. Mr. Crouch, were you at one time a member of the Communist party.

Mr. CROUCH. I was.

Mr. COHN. During what years?

Mr. CROUCH. From 1925 until early 1942.

Mr. COHN. Were you a top functionary of the party?

Mr. CROUCH. Yes, I was a top functionary throughout that period, and a full-time organizer for fifteen years.

Mr. COHN. What were some of the positions you held in the Communist party?

Mr. CROUCH. I was a representative of the Young Communist League and the Communist party of the United States to the meetings of the executive committee of the Communist International, Young Communist International, Moscow; I was a student and lecturer at the Frunze Military Academy and an honorary officer of the Red Army; I was the head of the Communist party's National Department for Infiltration of the Armed Forces in the United States, national editorial director of the Young Communist League, member of the editorial staff of the *Daily Worker*, district organizer for the Communist party in Virginia, New York and South Carolina, Tennessee and Utah; member of the district bureau of the Communist party in the Alabama district and the California district, Alameda County organizer, 1941.

I was editor of the *New South*, Communist organ for the southern States, 1937 to '39, and had been a member of the editorial board of its predecessor paper, the *Southern Worker*, since 1934.

I was a member of the Negro Trade Union Agricultural Anti-Imperialist, Anti-Militarist Commissions of the Central Committee of the Communist party of the United States, and participated in the work of the Central Committee from 1927 until 1941. Those are some of the major positions.

Mr. COHN. I don't know how you could have had time for more. Now, Mr. Crouch, since the time you have left the party, particularly in recent years, you have, under subpoena and at the request of the United States government, testified at various trials held in this courthouse and elsewhere throughout the country for the government, and have given them what information you have as a result of your membership and activity in the party; is that right?

Mr. CROUCH. That is correct, sir.

Mr. COHN. I recall, of course, you were a witness in the trial in which Mr. [William] Remington was convicted in this building.

Now, Mr. Crouch, when you were in the Communist party, did you know a man named Joel Remes?

Mr. CROUCH. Yes, I knew him from about 1934 until 1940 or '41.

Mr. COHN. Mr. Remes, when you knew him, was he a member of the Communist party?

Mr. CROUCH. Yes, he was.

Mr. COHN. Was he more than a member of the party?

Mr. CROUCH. Yes, he was an official of the party throughout the period I knew him, including such positions as organizational secretary of the Communist party for the Louisiana district, headquarters at New Orleans, and was——

Mr. COHN. About when was that?

Mr. CROUCH. That was, as nearly as I can recall, from about late 1936 until 1948, approximately, and he was at that time in charge of the Communist book store called the People's Book Store at 130 Chartres Street in New Orleans, and in that capacity he handled the distribution of the *New South*, of which I was editor, and I had correspondence with him from time to time regarding the distribution of the *New South* and regarding supplying editorial material in it.

Mr. COHN. Now I am going to show you a picture, Mr. Crouch, and ask you if you can identify that as Mr. Remes.

Mr. CROUCH. Yes, this is the Joel Remes I knew in the Communist party.

Mr. COHN. Mr. Crouch, at that time, around 1937, in those years, did you have any connection with the Communist party counterpart of the *Daily Worker* down South?

Mr. CROUCH. Yes, I was the editor of it.

Mr. COHN. What was that called?

Mr. CROUCH. It was first called the *Southern Worker*, and then the *New South*, changing its name to the *New South* in 1937.

Mr. COHN. Now, were you in charge of subscriptions to that Communist publication?

Mr. CROUCH. I was.

Mr. COHN. And you kept a little cardboard box containing the cards with names of subscribers throughout the years; is that right?

Mr. CROUCH. Yes, a box that I brought in and was introduced as evidence in the trial of William Remington.

Mr. COHN. That is the box in which you produced the card showing William Remington was a subscriber to this Communist publication, received at the official post office box of the Communist party; right?

Mr. CROUCH. Yes, sir.

Mr. COHN. And in that same box, did you find a card indicating that you had shipped twenty-five copies of this Communist publication to the People's Book Store, at 110 Chartres Street, New Orleans, Louisiana?

Mr. CROUCH. Yes, sir. The original is in a box which is in the custody of the government, and I have a photostat prepared at the time of the Remington trial, and one of the photostats shows the bundle order going to the People's Book Store at 130 Chartres Street, of twenty-five copies per month.

Mr. COHN. Was Remes the man you were dealing with there?

Mr. CROUCH. He was.

Mr. COHN. Did you know any relatives of Remes in the Communist party?

Mr. CROUCH. Yes, his brother, Andy Remes, was one of my closest friends in the Communist party over many years. I had long, detailed discussions on many matters—and incidentally, his brother, Andy Remes, played a very important role both in my decision to leave the party and increasing my fear of the consequences of leaving, as a result of his connections with the whitewash of what was unquestionably a G.P.U. murder of Laura Law, of Aberdeen, Washington, about January 4, 1940.

Mr. COHN. Was Laura Law any relation to Joel Remes and Andrew Remes?

Mr. CROUCH. No, she was—she and her husband had been members of the Communist party under Andy Remes' jurisdiction as secretary for the Northwest district. She broke with the Communist party in the fall of 1939 and informed the party that she was going to the government and tell what she knew about the party. Shortly thereafter her body was found with her head crushed in, and her chest and back covered with brutal stab wounds—unquestionably a G.P.U. murder to silence her, to prevent her from telling her extensive knowledge of the party apparatus throughout the northwest.

Andy Remes played a leading part in the whitewash of this case, and as he described it to me, by taking the offensive and charging that industrialists had Laura Law murdered because of her husband's union activities.

Mr. COHN. Mr. Chairman, will you receive this photostatic copy of this card in evidence and have it deemed marked as Exhibit 1?

The CHAIRMAN. Yes, it is received.

Mr. COHN. And the picture of Remes which was identified by Mr. Crouch we will have deemed marked as Exhibit 2.

And this criminal record, a certified copy of which we received, we will have deemed marked Exhibit 3. We received a certified copy from the police department at New Orleans, Louisiana.

The CHAIRMAN. Mr. Crouch, there is something we have often wondered about, and maybe you can enlighten us. In the trial of this Scientist X, as I recall, you had considerable information and evidence on him. Why weren't you called by the Justice Department in that case, if you know?

Mr. CROUCH. I was called as an expert witness in rebuttal, but was not permitted to describe my knowledge of him as a member of the party, or to describe the closed meetings of the Communist party I had attended. And my wife [Sylvia Crouch], who was under subpoena in the trial, was not called at all, and I was advised informally to the effect that it was impossible for us to give our testimony without bringing in the name of an internationally famous scientist who was also a member of the Communist party, who had been present at the meetings with Scientist X.

The CHAIRMAN. Who in the Justice Department told you you could not be used to testify about your knowledge of Scientist X, his Communist activities?

Mr. CROUCH. Mr. Cunningham, of the Justice Department, and Mr. Hitz, assistant United States attorney, advised me that I

would not be questioned because our testimony would bring in his name.

The CHAIRMAN. Bring in the name of Robert Oppenheimer?

Mr. CROUCH. Yes, sir. Dr. J. Robert Oppenheimer.

The CHAIRMAN. Both you and your wife, I understand, then, were available; the Justice Department knew you had attended Communist party meetings with Scientist X, and one of the issues was whether or not he was a Communist?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. And the jury found him not to be a Communist, ultimately?

Mr. CROUCH. They found him not guilty due to lack of sufficient identifying witnesses who had been in closed meetings with him, that is, witnesses who could testify to that effect.

The CHAIRMAN. Just for the record, was he being tried for perjury?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. And one of the counts was that he committed perjury when he said he was not a Communist?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. And because of lack of evidence, he was acquitted?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. And both you and your wife, when members of the Communist party, had attended these closed Communist party meetings with him, and you were informed by two Justice Department lawyers that you would not be used because if you were used and you were examined as to who else was there, you would have had to identify Robert J. Oppenheimer; is that it?

Mr. CROUCH. To that effect, yes, sir.

The CHAIRMAN. Did they say who had given them those instructions?

Mr. CROUCH. No, sir, they did not, they did not indicate it in any way.

The CHAIRMAN. When was this trial held?

Mr. CROUCH. Last year.

The CHAIRMAN. What was the date of that trial, Roy?

Mr. COHN. I don't know the exact date.

The CHAIRMAN. And Scientist X, who has been identified, as Scientist X, what is his name again?

Mr. CROUCH. Dr. Joseph Weinberg.

The CHAIRMAN. Is there any doubt in your mind that Oppenheimer was a member of the Communist party?

Mr. CROUCH. No, sir, none whatever. I met him in a closed meeting of the Communist party in a house which was subsequently found to have been his residence at the time, although I did not know it then, and following that I met him at quite a number of Communist party affairs in Alameda County.

The CHAIRMAN. I noticed with some interest Oppenheimer's articles in regard to the H-bomb, for example; he vigorously opposed our proceeding with any experimentation in the development of the H-bomb. When he lost out in that, he now has taken the position that we should not have an air force capable of delivering that bomb. Maybe I am simplifying it a bit, but in fact that is his argu-

ment. His argument has been that we should build a screen of defense around this nation.

From your knowledge of the working of the Communist party, do you know whether or not that was the policy of the Communist party at that time?

Mr. CROUCH. His position, in substance, his efforts have corresponded with the efforts of the Communist press throughout this period. The Communist press has sought to prevent the development of the H-bomb. They have sought to obtain a U.S. pledge not to use the atomic bomb, first in time of war, and their policy has coincided with the public statements of Dr. J. Robert Oppenheimer and the authoritative press accounts of J. Robert Oppenheimer's position as appeared recently in *Fortune* magazine, *Life*, and others.

The CHAIRMAN. Just to refresh my recollection and to get the record straight on this, is it correct that after you notified the FBI that you had attended a closed Communist meeting with Oppenheimer that they drove you around the city of Los Angeles to find the house in which you had attended that meeting?

Mr. CROUCH. Not Los Angeles—in Berkeley, California.

The CHAIRMAN. In Berkeley?

Mr. CROUCH. Yes, sir. FBI Agent Brush, and another FBI agent—

The CHAIRMAN. Brush?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. B-r-u-s-h?

Mr. CROUCH. Yes.

The CHAIRMAN. Do you know his first name?

Mr. CROUCH. I don't recall.

The CHAIRMAN. Do you know the other agent's name?

Mr. CROUCH. Modehouse, or a similar name.

The CHAIRMAN. In any event, they drove you around Berkeley to see if you could find the house in which you had attended the meeting with Oppenheimer; is that correct?

Mr. CROUCH. That's right.

The CHAIRMAN. And you drew a diagram for them of the inside of the house?

Mr. CROUCH. Exterior and interior, before the house was located.

The CHAIRMAN. So that before the house was located you gave them a drawing of the interior of the house in which you attended the meeting, and you described the exterior of the house; you didn't know the address, so they drove you around until you found the house?

Mr. CROUCH. That's correct. All I knew was the house was in the hills around Berkeley, overlooking the bay. That's all I knew. I gave these drawings to the FBI and to the California Un-American Activities Committee.

The CHAIRMAN. Now, when someone from the FBI later went into this house, did they find that your drawing of the interior was an accurate drawing of the house?

Mr. CROUCH. I don't know whether the FBI went into the interior or not, but they told me they had obtained information regarding the interior, and that the interior corresponded to my drawings and description.

The CHAIRMAN. Was it discovered then also that at the time the meeting was held in this house, the meeting which you attended, that he was living in that house?

Mr. CROUCH. Yes, sir.

The CHAIRMAN. In other words, that was his home?

Mr. CROUCH. That was the first information I obtained that that was the home of J. Robert Oppenheimer, was from the FBI, from Agent Brush.

The CHAIRMAN. How many Communist meetings would you say you attended with Oppenheimer?

Mr. CROUCH. I attended one closed meeting restricted only to party members, where I gave an official report. I attended a number, at least six, social affairs arranged by the Communist party, where he was present, one being at the home of Kenneth May, one being an affair arranged to raise funds for the Spanish Communists.

Incidentally, I talked with Dr. Oppenheimer last year in the presence of Justice Department officials and Dr. Oppenheimer recalled one of these occasions, the one to raise funds for Spain, and placed the date of it as the night before Pearl Harbor, in the presence of Mr. Cunningham and Mr. Hitz. As for the other affairs, he said, in substance, he attended so many Communist-arranged affairs, he couldn't recall how many; he might well have been at the one at Kenneth May's home. He could not recall the closed meeting at his own home or my report there. He did recall one meeting at which Mr. William Schneiderman was present in 1941.

The CHAIRMAN. Now, there are two Oppenheimers, both rather famous, and I think we should have the record clear that you are speaking about the Dr. J. Robert Oppenheimer.

Mr. CROUCH. Yes, I knew both. I knew his brother, Frank as a Communist, also, and identified Frank as a Communist in testimony before the House Committee on Un-American Activities in May of 1949.

The CHAIRMAN. Did your wife attend the closed meetings with Oppenheimer?

Mr. CROUCH. Yes, she did.

The CHAIRMAN. Do you know of anyone besides you and your wife who can testify as to Oppenheimer's membership in the Communist party?

Mr. CROUCH. Not offhand.

The CHAIRMAN. I might say it is important beyond words, and dangerous, of course—I am sure you will agree with me—if our top atomic scientist is a member of the Communist conspiracy. It would be extremely important if we could get additional witnesses who were present physically and knew he was a member of the party.

Mr. CROUCH. I might say, Senator, that in my work with the California Un-American Activities Committee I learned that military intelligence has a vast amount of evidence regarding his membership in the Communist party and his Communist activities, and that the California Un-American Activities Committee has a great deal of information which, of course, would be at the disposal of this committee.

The CHAIRMAN. Do you know why the Justice Department and the California committee have apparently shied off at the exposure of Oppenheimer?

Mr. CROUCH. The California committee has tried to go into this. They brought out a great deal of information, including testimony by both myself and my wife, Sylvia, in their published report for the year—reported in 1951, covering the year 1950. They gave a great deal of information in this report on the background of both J. Robert Oppenheimer and his wife, who—one of whose husbands was killed in Spain while fighting with the Communist forces there, and during the California hearing the state committee out there in California issued a public invitation to Dr. J. Robert Oppenheimer to appear before the committee, as an invitation to both Dr. Oppenheimer and his wife, Katherine, to appear before the committee, and both Dr. Oppenheimer and his wife ignored the invitation. The California committee had no power of subpoena and has been unable to follow up on the matter.

The CHAIRMAN. Do I understand you to say that his wife's former husband was killed in Spain fighting on the Communist side?

Mr. CROUCH. Yes, I might say further, so there should be no confusion, that his wife, Katherine, was born Katherine Puening, in Germany; came to the United States and is a citizen by virtue of her father's naturalization while she was a minor. She was first married to a man named Ranseyer. According to many people in intelligence, her second husband was the one killed in Spain, named Joseph Dallet, who had been a Young Communist League organizer in Ohio. Her third husband, after this husband was killed in Spain in 1936 or early 1937, her third husband was Richard Stewart-Harrison, of Great Britain, from whom she was divorced in January 1940, and married Dr. J. Robert Oppenheimer in November of 1940.

The CHAIRMAN. I missed your last few words. Did you say that this husband was a Communist?

Mr. CROUCH. Yes.

The CHAIRMAN. The third husband?

Mr. CROUCH. Yes, the one killed in Spain. I don't know whether the other two previous husbands were Communists, or not, but the one killed in Spain was a Communist and a very close friend of Steve Nelson.

Incidentally, according to many public statements, Mrs. Oppenheimer introduced her friend, Steve Nelson, to J. Robert Oppenheimer, who was a frequent guest at the Oppenheimer home during the 1940 to 1942 period when Dr. Oppenheimer was in charge of work on the atomic bomb.

The CHAIRMAN. Let me ask you this: Is there any doubt in your mind but what Oppenheimer was under Communist party discipline at the time you were attending these Communist meetings with him?

Mr. CROUCH. No, sir, none whatever.

The CHAIRMAN. And if he were under Communist party discipline, he, of course, would be bound to turn over any atomic secrets to them that he had available?

Mr. CROUCH. That the party directed.

The CHAIRMAN. And naturally they would be interested in any atomic information he had?

Mr. CROUCH. Yes, sir. Just as a matter of fact, the Communist party might have chosen to direct him to turn over the information; they might have chosen to direct him to appoint other Communists to key positions who would in turn turn over the information. It is a matter of record that Dr. Oppenheimer has appointed many Communists to key positions in the atomic energy program. For example, Lloyd Lehman, who had been associated with Dr. Oppenheimer, in the Communist party around 1940, was given a job at Dr. Oppenheimer's recommendation in the radiation laboratory in California around 1942. Later, Lloyd Lehman left the laboratory and became the open Communist party organizer for Alameda County in California.

Another man who has admitted former membership in the Communist party, Dr. Hawkins, was brought from California to Los Alamos, although he was not a physicist, made historian for the project, and given access to virtually all classified and confidential matters there.

There are many other Communists who were employed by Dr. Oppenheimer and also, according to the California committee's information, Dr. Oppenheimer was active in urging atomic scientists to join a Communist espionage apparatus called the FAECT—Federation of Architects, Engineers, Chemists, and Technicians—headed by Marcel Scherer, who had been trained in the espionage schools in Moscow and who had been in charge of infiltration of scientists since 1928, to my personal knowledge.

The CHAIRMAN. This FAECT was headed by a man who went to the Moscow School of Espionage and Sabotage?

Mr. CROUCH. Yes.

The CHAIRMAN. That is the Lenin school?

Mr. CROUCH. Yes.

The CHAIRMAN. Where is he now, do you know?

Mr. CROUCH. He is in New York City at the present time.

The CHAIRMAN. Is he connected with atomic work now, do you know?

Mr. CROUCH. I don't know.

The CHAIRMAN. What is his name?

Mr. CROUCH. Marcel Scherer.

The CHAIRMAN. Oh, yes.

Mr. CROUCH. I personally participated in discussions that set up this apparatus for scientific espionage in 1928 and was present at discussions between Scherer and William Z. Foster, and Scherer and Communist international representatives from Moscow, when this project was approved.

The CHAIRMAN. That will be all, then, for today.

[Witness excused.]

**TESTIMONY OF DIMITRY VARLEY (ACCOMPANIED BY HIS
COUNSEL, HERMAN A. GRAY)**

The CHAIRMAN. Will you stand up and raise your right hand, please?

In this matter now on hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VARLEY. I do.

The CHAIRMAN. Mr. Varley, you have the right to consult with your counsel at any time you care to, advise with him whenever you think it is necessary. If you care to, I will be glad to give you a private room in which to have a conference, if anything comes up of sufficient importance that you think you require that. Counsel is not allowed to take part in the proceedings other than that.

Mr. COHN. Mr. Varley, what is your position?

Mr. VARLEY. I am employed by the United Nations as an economist.

Mr. COHN. Talk a little louder, and tell us specifically what your position is.

Mr. VARLEY. I am a senior economic affairs officer in the Department of Economic Affairs in the United Nations.

Mr. COHN. What is your salary?

Mr. VARLEY. Gross salary is \$12,000.

Mr. COHN. \$12,000 a year?

Mr. VARLEY. I think \$12,000 and a few odd dollars.

Mr. COHN. Yes, \$12,000 and some odd dollars.

Mr. VARLEY. Yes.

Mr. COHN. How long have you been with the United Nations?

Mr. VARLEY. Since the fall of 1946.

Mr. COHN. Where were you before that?

Mr. VARLEY. I was with UNRRA.

Mr. COHN. You were with UNRRA before that?

Mr. VARLEY. Yes.

Mr. COHN. Who was director general of UNRRA when you were appointed?

Mr. VARLEY. Mr. Lehman.

Mr. COHN. Was Mr. Weintraub in UNRRA when you came there?

Mr. VARLEY. He was.

Mr. COHN. Did you work with him in UNRRA?

Mr. VARLEY. I was working with him in the same bureau.

Mr. COHN. And Mr. Lehman was the director general?

Mr. VARLEY. Right.

Mr. COHN. Or director-whatever you call it?

Mr. VARLEY. I think it is director general.

Mr. COHN. Director general.

Now, where were you before you went with UNRRA?

Mr. VARLEY. I was in the army.

Mr. COHN. For how long a period of time were you in the army?

Mr. VARLEY. For approximately one year and six months.

Mr. COHN. What were your duties in the army?

Mr. VARLEY. I started with the air force, and then I was attached to the Office of Strategic Services.

Mr. COHN. OSS? What did you do with OSS?

Mr. VARLEY. I was attached to the research branch, which I believe was called Russian Economic Analysis. I am not sure about the exact title of the branch.

Mr. COHN. What rank did you hold in the army, by the way? What was your rank in the army?

Mr. VARLEY. I was a sergeant in the army.

Mr. COHN. A sergeant. Now, have you ever contributed any money to any Communist front organization?

Mr. VARLEY. Will you explain your question? May I ask my lawyer?

Mr. COHN. Surely. You can ask anything you want.

[Whereupon, Mr. Varley consulted with his counsel.]

Mr. VARLEY. Could you tell me what you mean by "Communist front organization"?

Mr. COHN. Surely. For one example, I will give you an organization listed by the attorney general as subversive.

Mr. VARLEY. I never saw or consulted the list. I know some of them.

Mr. COHN. Let me ask you this: Did you and your wife ever contribute to the American Committee for the Protection of Foreign Born?

Mr. VARLEY. I did.

Mr. COHN. When? In 1950?

Mr. VARLEY. Yes, I think last time I did was in 1950.

Mr. COHN. How about the Veterans of the Abraham Lincoln Brigade?

Mr. VARLEY. I might have. I am not sure.

Mr. COHN. Isn't it a fact that you did in 1947 contribute to the Veterans of the Abraham Lincoln Brigade?

Mr. VARLEY. Well, I don't clearly remember whether I did.

Mr. COHN. Did you ever hear of the Veterans of the Abraham Lincoln Brigade?

Mr. VARLEY. I did.

Mr. COHN. Do you think you gave them any money?

Mr. VARLEY. I might have, but—

Mr. COHN. Now, is 1950 the last time when you contributed to the American Committee for the Protection of the Foreign born?

Mr. VARLEY. I think so. That is, to my best recollection, yes. Might have been 1950—I mean, it might have been, let us say, first month of 1951.

Mr. COHN. Well, around '50, '51?

Mr. VARLEY. Yes.

Mr. COHN. You are clear you did not contribute in '52?

Mr. VARLEY. Yes.

Mr. COHN. Were you ever a member of the State, County, and Municipal Workers Union, Local 28?

Mr. VARLEY. I was.

Mr. COHN. Did you know that was under Communist domination?

Mr. VARLEY. No.

Mr. COHN. When did you find that out?

Mr. VARLEY. Pardon me? Will you repeat the question?

Mr. COHN. Read the question, please.

[Whereupon, the last question was read by the reporter.]

Mr. VARLEY. To my best knowledge, it never was under Communist domination.

Mr. COHN. You have never heard that?

Mr. VARLEY. I heard subsequently, after I left the union, that it was referred as left wing CIO union.

The CHAIRMAN. Who got you your job originally? Mr. Weintraub?

Mr. VARLEY. Where?

The CHAIRMAN. In the UN.

Mr. VARLEY. The UN? Yes, he recommended me to the United Nations.

The CHAIRMAN. Did you know that Weintraub was a Communist?

Mr. VARLEY. No.

The CHAIRMAN. When did you first hear that he was?

Mr. VARLEY. I never heard that he was a Communist.

Mr. COHN. You never heard that he was?

Mr. VARLEY. Well, I have seen the reference in the papers, accusations, but that is—even there I am not sure he was—he said that he was a Communist.

Mr. COHN. Did you read Whittaker Chambers' testimony?

Mr. VARLEY. No.

The CHAIRMAN. Did you and he ever talk over the affairs of the Communist party?

Mr. VARLEY. Excuse me, may I just come back to that question?

Mr. COHN. Surely.

Mr. VARLEY. Did I read Whittaker Chambers' testimony?

Mr. COHN. Yes.

Mr. VARLEY. Well, I have seen some bits of it, I mean here and there in the papers, but I haven't seen his testimony about Mr. Weintraub.

The CHAIRMAN. Did you and Mr. Weintraub ever discuss the work or the objectives of the Communist party?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never did?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never had any reason to believe he was a Communist?

Mr. VARLEY. No, sir.

Mr. COHN. Now, have you ever been a registered member of the American Labor party?

Mr. VARLEY. I was.

Mr. COHN. Up through what year?

Well, the election records show you were a registered member of the American Labor party in 1937, 1938, 1939, 1940, '41, '43, '44, '49, '50, '51; is that right?

Mr. VARLEY. I couldn't have possibly registered in 1951, because I think I wasn't in the country in 1951, at that time.

Mr. COHN. At what time?

Mr. VARLEY. Well, last time I could have registered would be at the time of primary registrations or elections. It would be '49 or '50.

Mr. COHN. Well, the last time you did register, say in 1950, did you register American Labor party?

Mr. VARLEY. Yes, I did, last time.

Mr. COHN. Did you know the American Labor party had been named as a Communist front by the House committee?

Mr. VARLEY. No, sir.

Mr. COHN. Didn't you know it was——

Mr. VARLEY. You mean that was named as a Communist organization?

Mr. COHN. Did you know that that was under Communist domination and had been officially listed as a Communist front by the House committee?

Mr. VARLEY. No, sir.

Mr. COHN. You did not. Hadn't you heard that it was under Communist control?

Mr. VARLEY. May I consult——

Mr. COHN. Surely.

[Whereupon, Mr. Varley consulted with his counsel.]

Mr. VARLEY. I have seen reference to that fact in the newspapers, particularly during the election campaign.

The CHAIRMAN. Did you think it was Communist-controlled?

Mr. VARLEY. No, sir. My whole contact with American Labor party amounted to my registering with American Labor party.

The CHAIRMAN. The question is: Did you think it was Communist-controlled?

Mr. VARLEY. I really don't know.

The CHAIRMAN. Did you have any reason to believe that you were registering in a front for the Communist party?

Mr. VARLEY. No, sir.

The CHAIRMAN. You did not think it was Communist-controlled?

Mr. VARLEY. Senator, if I would have thought it was Communist-controlled, I wouldn't have registered.

The CHAIRMAN. The question is: Did you think it was Communist-controlled? It is a very simple question.

Mr. VARLEY. No, sir.

The CHAIRMAN. You did not?

Mr. VARLEY. No.

The CHAIRMAN. You appeared before the grand jury, didn't you?

Mr. VARLEY. I did appear before the grand jury.

The CHAIRMAN. Several times?

Mr. VARLEY. Yes, sir.

The CHAIRMAN. And you know there is a recommendation to the UN that your services be dispensed with; is that correct?

Mr. VARLEY. I don't know of this.

The CHAIRMAN. Didn't you hear that there was a recommendation that you be fired? You were told that, weren't you?

Mr. VARLEY. The grand jury recommended that I would be fired? No, sir.

The CHAIRMAN. It was in the presentment of the grand jury, was it not, that you should be removed from the UN?

Mr. VARLEY. No, sir, I never heard that.

The CHAIRMAN. You never heard that?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never knew anything about it?

Mr. VARLEY. No, sir.

The CHAIRMAN. No one ever told you that?

Mr. VARLEY. The grand jury recommended that I would be fired? No, sir.

The CHAIRMAN. Did you know they made a recommendation concerning you?

Mr. VARLEY. The grand jury?

The CHAIRMAN. Yes, sir.

Mr. VARLEY. No, sir.

The CHAIRMAN. Never heard it?

Mr. VARLEY. No, sir.

The CHAIRMAN. No one ever told you that?

Mr. VARLEY. No, sir.

Mr. COHN. Did you read the presentment?

Mr. VARLEY. Yes, sir.

Mr. COHN. Didn't you see any reference to yourself in the presentment?

Mr. VARLEY. No, sir.

Mr. COHN. You didn't?

Mr. VARLEY. No, sir.

Mr. COHN. You understand, the grand jury presentment did not mention names. Didn't you see a very clear description of yourself in there? I mean, can you tell us honestly that you read that presentment and didn't see any portion which you thought referred to you?

Mr. VARLEY. No, sir.

Mr. COHN. Oh, really?

Mr. VARLEY. No, sir.

The CHAIRMAN. What was the occasion of your reading the presentment? Were you looking for references to yourself?

Mr. VARLEY. Well, I read the presentment when it appeared in the newspapers.

The CHAIRMAN. Were you looking for references to yourself?

Mr. VARLEY. I can't answer that question in that way, sir, because I just read whatever was in there, and now the counsel asks me a question whether I found any—

The CHAIRMAN. When you read the presentment—you say you read it—my question is very simple: Were you looking for references to yourself, you having appeared before that grand jury?

Mr. VARLEY. Could I put it this way—that I did not expect to find reference to myself, and therefore I didn't look for reference to myself.

Mr. COHN. Mr. Varley, as a matter of fact, to put it frankly here, you are not very careful about telling the truth, are you?

Mr. VARLEY. I think I do tell the truth.

Mr. COHN. Well, now, you were before a grand jury, and I asked you, before the grand jury, whether or not you had ever been arrested or convicted, and you denied it at first and then admitted it later; isn't that a fact?

Mr. VARLEY. I don't know what—[consulting with counsel]. Would you mind repeating the question?

Mr. COHN. Read the question, please.

[Whereupon, the last question was read by the reporter.]

Mr. VARLEY. I never admitted that I was arrested.

Mr. COHN. You never admitted that you were arrested?

Mr. VARLEY. No.

Mr. COHN. You still don't think you were arrested?

Mr. VARLEY. That's right.

Mr. COHN. I see. You got some good legal opinions about that; is that right?

The CHAIRMAN. Is it your testimony that you had never been arrested?

Mr. VARLEY. That's right, sir.

Mr. COHN. What do you think, the records of the New York Police Department are forged?

Mr. VARLEY. Well, I asked my lawyer to consult the records and also tried to recollect the matter, and all my recollection was that I was summoned before the court of magistrates.

Mr. COHN. Isn't it a fact that—I regret the necessity of going into this again—but isn't it a fact that you were found by members of the New York City Police Department in the men's room and 50—something Street and Lexington Avenue on December, 29, 1941, arrested on a morals charge, and that you pleaded guilty and paid the fines, or you were given an alternative of a fine or a jail sentence and you paid the fines, not only for yourself but for the other man who was taken in along with you, a man named Leonardo Boronek? Isn't that a fact?

Mr. VARLEY. Would you give me the question?

[Whereupon, the last question was read by the reporter.]

Mr. COHN. Before you get to that, would you please add this, Mr. Stenographer: the names of the policemen were Valentine Piccirilli and William Vogel. Now, would you answer that question?

Mr. VARLEY. This is not a fact.

Mr. COHN. Tell me where it isn't a fact.

Mr. VARLEY. I was never arrested, and I was never convicted on a morals charge.

Mr. COHN. Tell us what happened.

The CHAIRMAN. Were you picked up by the policemen?

Mr. VARLEY. I was.

The CHAIRMAN. You were picked up by the policemen?

Mr. VARLEY. The policemen did talk to me, but I was not arrested.

The CHAIRMAN. Did they take you along with them?

Mr. VARLEY. The policemen told me that—

The CHAIRMAN. Did they take you along with them?

Mr. VARLEY. No, they didn't. The policemen told me, as I recollect it, that after we had very brief discussion, "Let the magistrate's court figure that out," words to that effect.

The CHAIRMAN. Did they take you down to the magistrate?

Mr. VARLEY. We went to the magistrate's court, all together.

The CHAIRMAN. The policemen picked you up, they took you down to the magistrate; is that right?

Mr. VARLEY. He didn't pick me up. He said that "Well, let all of us go to the magistrate court."

The CHAIRMAN. All right. When I say "picked you up," what do you understand that I mean?

You said he didn't pick you up. What do you think it means to get picked up?

Mr. VARLEY. What the counsel says, to be arrested.

The CHAIRMAN. And the policeman came in and took you to the magistrate; is that right?

Mr. VARLEY. He said, "Let's go to the magistrate." He didn't say, "You are arrested." I didn't resist—

The CHAIRMAN. Did he take you down in a police car? Did they take you down in a police car?

Mr. VARLEY. I think it was an ordinary automobile.

The CHAIRMAN. They took you down in their car, did they?

Mr. VARLEY. We went in their car.

The CHAIRMAN. All right. They took you to the magistrate?

Mr. VARLEY. We went down to the magistrate's court.

The CHAIRMAN. They took you in their car to the magistrate, is that correct?

Mr. VARLEY. May I say how I remember what happened?

The CHAIRMAN. No, you answer my questions. I may say that if the policeman's testimony is correct, you have perjured yourself about three times now. You can keep on if you want to, or you can tell us the truth.

I will repeat the question: Did they take you in their car to the magistrate? Either yes or no?

Mr. VARLEY. Yes.

The CHAIRMAN. They did, all right. Did they file charges against you?

Mr. VARLEY. Yes, there was a summons by a policeman.

The CHAIRMAN. All right. And were you found guilty?

Mr. VARLEY. I pleaded guilty.

The CHAIRMAN. You pleaded guilty?

Mr. VARLEY. Yes.

The CHAIRMAN. You paid a fine?

Mr. VARLEY. I paid a fine.

The CHAIRMAN. And did you pay the other man's fine, too?

Mr. VARLEY. I did.

The CHAIRMAN. You say you were never arrested?

Mr. VARLEY. Yes, sir.

The CHAIRMAN. Mr. Cohn, I want this transmitted to the U.S. attorney, a clear case of perjury.

Have you ever been arrested at any other time?

Mr. VARLEY. No, sir.

The CHAIRMAN. Did the policemen ever pick you up at any other occasion?

Mr. VARLEY. In the same sense as in that case, in connection with automobile incidents, yes.

The CHAIRMAN. How many times?

Mr. VARLEY. Several times.

The CHAIRMAN. On the same type of charge?

Mr. VARLEY. Well, the charge dealt with some violation of traffic, but I do not recall what exactly was the nature of the charge. It was some kind of an offense, similar charge.

The CHAIRMAN. How many times did policemen pick you up on any other charges? How many times?

Mr. VARLEY. You mean bring me to the magistrate's court directly?

The CHAIRMAN. Do you understand what I mean? You can keep on perjuring yourself, if you want to.

Mr. VARLEY. I am trying to do my best and not to try to evade the question, but in the first case you said, did the policeman pick me up and bring me to the magistrate's court. Well, I had summons given to me before by the policemen.

The CHAIRMAN. All right. How many times?

Mr. VARLEY. Well, I recall at least one case in the state of Connecticut, when there was minor traffic accident and we went to a police station.

The CHAIRMAN. And what were you charged with?

Mr. VARLEY. I know I paid a fine of about, around \$15, I think.

The CHAIRMAN. What were you charged with?

Mr. VARLEY. I don't remember the charge, sir.

The CHAIRMAN. You don't remember?

Mr. VARLEY. No. It was some kind of offense in the state of Connecticut.

The CHAIRMAN. Were you charged with drunkenness?

Mr. VARLEY. No, sir.

The CHAIRMAN. You were not?

Mr. VARLEY. No, sir.

The CHAIRMAN. Are you sure of that?

Mr. VARLEY. I am positive.

The CHAIRMAN. Have you ever been charged with drunkenness?

Mr. VARLEY. No, sir.

The CHAIRMAN. Have you ever been found guilty on a morals charge?

Mr. VARLEY. No, sir.

The CHAIRMAN. No?

Mr. VARLEY. No, sir.

The CHAIRMAN. Have you ever pleaded guilty on a morals charge?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never have?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never have been either convicted or pleaded guilty to any charge involving morals?

Mr. VARLEY. No, sir.

The CHAIRMAN. Your answer is no?

Mr. VARLEY. That's right.

The CHAIRMAN. You are sure of that?

Mr. VARLEY. I am sure of that, sir.

Mr. CHAIRMAN. Mr. Cohn, we want the magistrate's record and the policeman in here who arrested him before he was found guilty. This is a clear case of perjury.

Mr. COHN. What do you think you were picked up for by the policemen at the time you were taken down to court in the policemen's car? Didn't they tell you?

Mr. VARLEY. It was a charge of loitering.

Mr. COHN. With another man; is that right?

Mr. VARLEY. No, sir.

Mr. COHN. No? Was there another man there? You paid another man's fine, didn't you?

Mr. VARLEY. I paid the other man's fine.

Mr. COHN. Yes, you paid your own fine and you paid his fine, too, didn't you?

Mr. VARLEY. When he pleaded guilty and he said he had no money to pay, I felt sorry for the guy, and paid his fine.

Mr. COHN. How long had you known this other man?

Mr. VARLEY. How long what?

Mr. COHN. How long had you known the other man? You know, you make it very difficult, Mr. Varley. This isn't the kind of thing—

Mr. VARLEY. I didn't know the man.

Mr. COHN. You met him in the men's room, then, didn't you?

Mr. VARLEY. I didn't meet him. He was in the men's room.

The CHAIRMAN. So it was a man whom you never knew, whom you never met, and you paid his fine; is that correct?

Mr. VARLEY. That's right.

The CHAIRMAN. You will return at 2:30 this afternoon. You are excused until 2:30.

[Whereupon, at 12:15 p.m., a luncheon recess was taken until 2:30 p.m.]

AFTERNOON SESSION

TESTIMONY OF ABRAHAM UNGER (ACCOMPANIED BY HIS COUNSEL, BERNARD JAFFE)

The CHAIRMAN. Will you stand and raise your right hand, please?

In this matter now on hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. UNGER. I do.

Mr. JAFFE. May I ask the senator something?

Mr. UNGER. I was served with this subpoena yesterday. I haven't had a chance to talk to him until about noon or so today, and I was wondering whether or not we could possibly adjourn this hearing so that I could have an opportunity to look into the matter.

The CHAIRMAN. Well, how much time would you want?

Mr. JAFFE. Well, I would like a week, if possible.

Also, whom am I speaking to? I know you; you are Mr. Cohn. Who is this gentleman?

Mr. COHN. I am Mr. Cohn, counsel for the committee. This is Senator McCarthy.

This is Frank Carr, executive director of the committee. This gentleman here is from the legal division of the United Nations.

Mr. UNGER. I see. I make that same request. I think it is a reasonable request which should be granted, if at all possible. But in addition, I think you ought to indicate to me what the purpose of the examination is so that I might have some idea why it is that you are calling me as a witness. What is the object of this inquiry by this senatorial committee? Those are the two things we address to you.

The CHAIRMAN. I think your second request is certainly reasonable, that you be notified why you are called. Obviously, you are entitled to that. I believe until you know why you are called and what information the committee wants from you, it will be impossible for you to know from you whether you need a day, or a week, or how much adjournment you need. You are called in connection with an investigation of Communist influence in the UN and in connection with alleged Communists working there, one of whom, Mr. Remes, or Mr. Reiss. I think his name now is Mr. Reiss—according to our information, worked either for you or in your office, and I think the information we want to get from you principally is with regard to this fellow Remes. Now, I would suggest—

Mr. UNGER. You are off on the wrong track, I want to tell you that right now.

The CHAIRMAN. May I say this, that after Roy starts questioning you, if you feel that you need a week's time to discuss the matter with your lawyer, that is something that can certainly be considered. I am inclined to think that the questions will be of such a very simple nature that you won't need any additional time on them.

Let me say this: I will let counsel proceed, and if after he asks certain questions you think that you need additional time, I am sure we can work that out.

Mr. JAFFE. Let me say this, Senator: I am a lawyer; I don't know anything about the questions you are going to ask or anything else. As far as I am concerned, whatever the problem is, I would need time, because I don't know what the entire situation is. Now, it may be that Mr. Unger wants to go ahead without that. I mean, as far as I am concerned, you tell me this; the names that you refer to don't mean anything to me. Whether they mean anything to Mr. Unger, I don't know.

Mr. COHN. You are not the witness.

Mr. JAFFE. I understand that. What I would like to do is to have an opportunity to consult with him before I can advise him about anything.

The CHAIRMAN. I think that is a reasonable request. You can use the private office to discuss the matter, and then we will take—

Mr. COHN. There is only one name, Joel Remes, also known as Julius Reiss.

Mr. UNGER. I certainly would defer to counsel in the suggestion that you make to confer together, and as we are told here, it can be done privately.

But I will say this, so that there will be no question about it. We are being given representation here that is the purpose of the inquiry in so far as this witness is concerned. On that representation, I see no reason why we can't ascertain what it is that they are inquiring about as indicated here, and then if any situation arises which requires conferring, we will confer.

The CHAIRMAN. I think that is a good suggestion. If something arises which makes you feel it is necessary to have a conference, or a postponement, we can work it out. I am sure. We will have no trouble about that.

Mr. COHN. Could we have your full name, please?

Mr. UNGER. I gave it to the stenographer—Abraham Unger.

Mr. COHN. And you gave your address?

Mr. UNGER. I did.

Mr. COHN. Fine. What is your profession, Mr. Unger?

Mr. UNGER. Lawyer.

Mr. COHN. You practice in New York?

Mr. UNGER. I do.

Mr. COHN. You are admitted to the bar in New York?

Mr. UNGER. I am admitted to the bar in New York.

Mr. COHN. And to the federal court?

Mr. UNGER. Yes.

Mr. COHN. Have you practiced before any government agencies?

Mr. UNGER. Do I practice? Yes.

Mr. COHN. Which one?

Mr. UNGER. Immigration. I don't recall that I practiced before any other at this time—workmen's compensation, perhaps—one being federal, one being state.

Mr. COHN. Mr. Unger, we have had testimony here that a man by the name of Joel Remes, also known as Julius Reiss, has worked under your supervision; is that true?

Mr. UNGER. It is not.

Mr. COHN. Do you know Joel Remes?

Mr. UNGER. If it is the person referred to in the press, in the newspaper yesterday, I assume it is the same person who is identified as Mr. Reiss—

Mr. COHN. That's right.

Mr. UNGER. I know who he is, yes.

Mr. COHN. Have you ever met him?

Mr. UNGER. Yes.

Mr. COHN. Under what circumstances?

Mr. UNGER. He has come to our office, consulted with us. He has also done some research work in or about or out of the office of a perfectly innocent nature, such as of a kind that I would consider not even important enough to remember, the sort of thing that anyone—that you might do, that you might come to the office and ask to look at a file—rather at a record on appeal, or a case, and I would show it to you, and I wouldn't even remember whether you had been there or not.

Mr. COHN. I don't quite understand that. Was he in your employ?

Mr. UNGER. He was not. I have answered that question already.

Mr. COHN. I don't quite understand the situation as you give it to me.

Mr. UNGER. I said to you he came to my office to consult with us on occasion.

Mr. COHN. About what?

Mr. UNGER. As a client.

Mr. COHN. As a client?

Mr. UNGER. I have no recollection what matter it was. Again, it was of no significance, absolutely of no significance.

Mr. COHN. You say he came to your office to consult with you on an attorney-client basis concerning a legal matter; is that right?

Mr. UNGER. That's right.

Mr. COHN. Concerning how many legal matters did he consult with you?

Mr. UNGER. I have no recollection.

Mr. COHN. Pardon me?

Mr. UNGER. I have no recollection.

Mr. COHN. Did he ever work for you?

Mr. UNGER. He did not.

Mr. COHN. He did not work for you in any respect?

Mr. UNGER. I answered that.

Mr. COHN. I know you answered it, but how does that square with the fact he told us that he has reported income received from your law firm for the year of 1950?

Mr. UNGER. I say he did not work for me. I have never—I never recall employing him. If he worked for our office he certainly wasn't working there with my knowledge.

Mr. COHN. Well, would you have knowledge of someone working in your office? Do you know which people are employed by your office?

Mr. UNGER. No. The fact might be—well, what might be the case is that in some matter that he was working on, not under my supervision, he may have been on the payroll in the office for the purpose of a case, possibly, I wouldn't know.

Mr. COHN. Do you know that?

Mr. UNGER. No, I wouldn't know.

Mr. COHN. Will you check that for us?

Mr. UNGER. I probably can.

Mr. COHN. All right.

Mr. UNGER. Probably can.

Mr. COHN. That is as to the year 1950, particularly. As far as your testimony, as far as you know, he retained your office, he consulted your office as a client, in a legal matter, the nature of which you didn't recall at all?

Mr. UNGER. That's right. It is of no significance. And beyond that, he has been to the office, I am sure that goes back a number of years, in the course of doing some research work of a nature that didn't concern me.

Mr. COHN. What do you mean by research work?

Mr. UNGER. He might have looked at a file in the office—that is to say, a case on appeal, a record.

Mr. COHN. Did he—

Mr. UNGER. I don't know. What specific one? I haven't the faintest idea.

Mr. COHN. That is pure conjecture on your part, as to whether he did or not?

Mr. UNGER. As to whether he did, it is not conjecture; it isn't actually knowledge in the sense that I actually saw him sit down and do it, but I know that he was a person who was doing research work.

Mr. COHN. You have no idea as to the nature of the work?

Mr. UNGER. No, it was of no importance to me. It was insignificant.

Mr. COHN. Did it have anything to do with the preparation of the defense of any persons indicted under the Smith Act?

Mr. UNGER. It may have.

Mr. COHN. Do you know whether or not it did, Mr. Unger?

Mr. UNGER. I don't.

Mr. COHN. You have no knowledge?

Mr. UNGER. No.

Mr. COHN. Did you do any such work?

Mr. UNGER. Did I do any such—

Mr. COHN. Did you do any such work concerning the preparation of the defense of persons indicted under the Smith Act?

Mr. UNGER. I think that is irrelevant to the subject of inquiry. That has to do with the question of attorney-client relationships, which obviously are not something which you should inquire into.

Mr. COHN. In other words, your testimony is whether or not you did any work of that nature is a confidential communication from a client to you; is that right?

Mr. UNGER. That's right.

Mr. COHN. Is that your testimony?

Mr. UNGER. Yes, of course. It is self-evident, Mr. Cohn.

Mr. COHN. Well, let us not argue. Just try to answer the questions.

Mr. UNGER. I have.

Mr. COHN. Did you know him by the name of Remes or Reiss?

Mr. UNGER. Actually, I don't think I ever heard the name Remes, only Reiss.

Mr. COHN. Then it was the name Reiss?

Mr. UNGER. Reiss.

Mr. COHN. All right. Now, is Mr. Reiss, to your knowledge, a member of the Communist party?

Mr. UNGER. On that subject, I would say to you I object to the question on the grounds of principle. I think, for one, on the basis of what you have already represented here, that is not a relative question to the inquiry; and secondly, I object on the ground it is not within the purview of a congressional committee, this one, to inquire into the political beliefs and opinions of persons. And thirdly, that it is proper on my part to identify any person—to describe, rather, the political opinions or beliefs of any person. That is a matter between himself and yourself, if he decides to state it.

The CHAIRMAN. If the refusal is on that ground, you will be ordered to answer.

Mr. UNGER. I didn't hear you.

The CHAIRMAN. If, I say, if the refusal is on that ground, you will be ordered to answer.

Mr. UNGER. I see.

Mr. COHN. You are free, of course, to consult any time you want with counsel.

Mr. UNGER. I understand. I want you to understand, I said to you I believe as a matter of principle you have no right to make such inquiry.

Mr. COHN. I heard what you said, sir.

Mr. UNGER. You have indicated very plainly that the purpose of your inquiry to me—you have represented to me was to find out whether or not this man was working for me. I have stated to you what I do know about him.

The CHAIRMAN. And what you know about him?

Mr. UNGER. What?

The CHAIRMAN. And what you know about him.

Mr. UNGER. You haven't asked me what I know about him. You asked me what I know about his political beliefs, and opinions. That is an entirely different subject.

The CHAIRMAN. Counselor didn't ask you about his political beliefs and opinions?

Mr. UNGER. Yes, he did.

The CHAIRMAN. He asked you whether he was a Communist.

Mr. UNGER. That is a political belief or opinion.

The CHAIRMAN. That is whether or not he belongs to a conspiracy that is dedicated to overthrow this government. You will be ordered to answer the question.

Mr. UNGER. Senator, I want to say to you again that your statement as to what the Communist party is is simply a volunteered personal comment which you make, and while there is no one to

stop you from doing so, you can hardly consider that it is acceptable as either evidence or as a basis for a question within the purview of the examination. You have indicated what you were concerned with here is this man's connection with me or my office.

Mr. COHN. And with the Communist party.

The CHAIRMAN. You are here to give up any information which you have about this man. Counsel asked you a very simple question, whether or not he is a Communist. You will be ordered to answer the question.

Mr. UNGER. I have stated to you—

The CHAIRMAN. I have heard what you stated.

Mr. UNGER [continuing]. That I think you are not giving it sufficient consideration, Senator. I understand what your purpose is. I know that you are going after Communists, and that is a fairly well-known activity on your part, and it is not my purpose here to debate that question with you. You have the power to do so at present, and you seem to be exercising it for your own purposes. But the point that I make to you is that as a legal question you have no right to inquire into the political beliefs and opinions of people, as in this instance as to ask anyone concerning the political beliefs and opinions of another, just as you wouldn't have the right to ask me concerning your own political beliefs and opinions or your own religious beliefs and opinions, and I have tried to state that to you as fully and as fairly as I can.

The CHAIRMAN. I understand your position, but you will be ordered to answer the question.

Mr. UNGER. All right, I shall confer.

The CHAIRMAN. What did you say?

Mr. UNGER. I said I shall confer with counsel.

Mr. JAFFE. You have called Mr. Friedman as a witness—

Mr. COHN. He is Mr. Unger's partner, is that right?

Mr. JAFFE. Yes, and I am here with him as well, under the same difficult conditions.

Mr. COHN. Talk to him as well.

All right, it is the same facts, and everything else.

The CHAIRMAN. Incidentally, your client will be ordered not to leave the building. He is under subpoena.

[Whereupon, the witness was temporarily excused.]

TESTIMONY OF ALICE EHRENFELD

The CHAIRMAN. Will you please stand and raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss EHRENFELD. I do.

Mr. COHN. Miss Ehrenfeld, what is your occupation?

Miss EHRENFELD. I am an attorney.

Mr. COHN. You are an attorney. When were you admitted to practice?

Miss EHRENFELD. November '47.

Mr. COHN. You graduated from Yale Law School?

Miss EHRENFELD. Yes.

Mr. COHN. What do you do now? Where were you employed?

Miss EHRENFELD. The United Nations.

Mr. COHN. In what capacity?

Miss EHRENFELD. I am in the social affairs department, social affairs office.

Mr. COHN. Social affairs office up at the United Nations. When did you go to work for the United Nations?

Miss EHRENFELD. In July 1951.

Mr. COHN. Miss Ehrenfeld, have you ever been a Communist?

Miss EHRENFELD. No.

Mr. COHN. You have not?

Miss EHRENFELD. No.

Mr. COHN. Do you know a man by the name of Sol Newman?

Miss EHRENFELD. No.

Mr. COHN. You don't. Have you ever been in New Haven, Connecticut?

Miss EHRENFELD. Yes.

Mr. COHN. You went to Yale, didn't you?

Miss EHRENFELD. Yes.

Mr. COHN. Were you up there around '44?

Miss EHRENFELD. Yes, it was my first year.

Mr. COHN. Did you know a man by the name of Sol Newman there?

Miss EHRENFELD. No.

Mr. COHN. Did you know a man by the name of Sid Silverman?

Miss EHRENFELD. No.

Mr. COHN. Did you know a man by the name of Sid Taylor?

Miss EHRENFELD. No.

Mr. COHN. Did you ever know any member of the Communist party?

Miss EHRENFELD. No, not to my knowledge, no one I knew as a member of the Communist party.

Mr. COHN. Have you ever been a member of the National Lawyers Guild?

Miss EHRENFELD. Yes.

Mr. COHN. Are you a member now?

Miss EHRENFELD. No.

Mr. COHN. What is the period of your membership?

Miss EHRENFELD. I think the last time I paid dues was '48.

Mr. COHN. 1948 was the last time you paid dues?

Miss EHRENFELD. Yes.

Mr. COHN. When was the last time you had any connection with the National Lawyers Guild?

Miss EHRENFELD. I think it was some time in '48. I went to a meeting in Washington.

Mr. COHN. You haven't attended any meetings since then?

Miss EHRENFELD. No.

Mr. COHN. Did you regard the National Lawyers Guild as under Communist domination?

Miss EHRENFELD. No.

Mr. COHN. Didn't you?

Miss EHRENFELD. No.

Mr. COHN. Did you ever consider that question?

Miss EHRENFELD. No, I didn't consider it to be under Communist domination.

Mr. COHN. Don't you know that the entire roster of officers in the National Lawyers Guild resigned from it some time ago—Justice Jackson, Justice Pecora, and a number of others—and called it an organization completely under the domination of the Communist party? You were familiar with that, weren't you?

Miss EHRENFELD. I knew it had been under attack for that.

Mr. COHN. Didn't that give you some pause as to whether or not you ought to belong to it?

Miss EHRENFELD. I thought it was a reasonable professional association at the time I belonged to it.

Mr. COHN. Did you know of any policy it ever adopted which was contrary to that followed by the Communist party?

Miss EHRENFELD. No. To be absolutely honest, I didn't keep very close track on it. I just went to a couple of meetings.

Mr. COHN. Do you know anybody by the name of Abraham Ehrenfeld?

Miss EHRENFELD. That is my father.

Mr. COHN. Is he teaching in a high school in New York?

Miss EHRENFELD. No, he is an assistant superintendent.

Mr. COHN. Assistant superintendent of schools?

Miss EHRENFELD. Yes.

Mr. COHN. Has he ever been a Communist?

Miss EHRENFELD. Not to my knowledge.

Mr. COHN. Is he a registered member of the American Labor party, do you know?

Miss EHRENFELD. I don't think so. He is a registered Democrat.

Mr. COHN. Do you know whether your father was ever a sponsor or connected with the Carver School?

Miss EHRENFELD. I don't know.

Mr. COHN. You don't know that. Do you have a brother named Robert Louis Ehrenfeld?

Miss EHRENFELD. Yes.

Mr. COHN. Do you know whether or not he has been a registered member of the American Labor party?

Miss EHRENFELD. I think he once registered in ALP.

Mr. COHN. When was the last time he registered in ALP, do you know?

Miss EHRENFELD. I don't know.

Mr. COHN. Has he ever been active in the American Association of Scientific Workers, which is listed as a Communist front?

Miss EHRENFELD. I don't know.

Mr. COHN. Was one of your references for application at the United Nations Thomas Emerson?

Miss EHRENFELD. Yes.

Mr. COHN. Is that Professor Emerson of Yale Law School?

Miss EHRENFELD. Yes.

Mr. COHN. Do you know Professor Emerson was a member of the Communist party?

Miss EHRENFELD. I don't think so.

Mr. COHN. You don't think to this day he was?

Miss EHRENFELD. No.

Mr. COHN. Would you regard him as a Communist?

Miss EHRENFELD. No.

Mr. COHN. Did you know Professor Emerson rather well?

Miss EHRENFELD. Yes, he was my reference.

Mr. COHN. I see. Had you ever discussed communism and related subjects with him?

Miss EHRENFELD. We had political discussions.

Mr. COHN. As a result of those political discussions, did you not gain the impression that Mr. Emerson was a Communist?

Miss EHRENFELD. No.

Mr. COHN. You did not?

Miss EHRENFELD. No.

Mr. COHN. Did you regard him as anti-Communist?

Miss EHRENFELD. In some ways, yes.

Mr. COHN. In what ways?

Miss EHRENFELD. Well, I do remember his—I remember he took issue on the Korean——

Mr. COHN. That was quite a bit after you knew him as your professor?

Miss EHRENFELD. I really don't know too much about it, but I do remember some things about left—Progressive party, or something, on Korea. I really don't remember.

Mr. COHN. Why did you drop out of the National Lawyers Guild?

Miss EHRENFELD. I just—I had never been very active, and I went to a meeting in Washington and there didn't seem to be anything very much, and I just didn't go any more, I just didn't pay my dues any more.

Mr. COHN. It had nothing to do with the question of Communist control?

Miss EHRENFELD. No.

Mr. COHN. Would it bother you if the organization were under Communist domination?

Miss EHRENFELD. If I thought it was Communist dominated, I probably wouldn't belong to it.

Mr. COHN. Is there any doubt about that in your mind?

Miss EHRENFELD. I didn't think it was Communist dominated.

Mr. COHN. You said you wouldn't belong to it. Is there any doubt that if it were under Communist domination you wouldn't belong to it?

Miss EHRENFELD. If there was no doubt in my mind that it was under Communist domination, I would not belong to it.

Mr. COHN. What evidence did you secure to indicate that it was not under Communist domination, in view of the resignation of the top officers?

Miss EHRENFELD. I didn't go looking. I am not sure even what time the top officers resigned.

Mr. COHN. I see. And you are quite sure you don't know Mr. Newman, or Mr. Silverman, who is also known as Mr. Taylor up in New Haven; is that right?

Miss EHRENFELD. The names don't mean anything to me now.

Mr. COHN. One of those persons said that you had been a member of a professional group of the Communist party up there, they would not be telling the truth; is that so?

Miss EHRENFELD. They would not be telling the truth.

Mr. COHN. Did you ever attend a Communist meeting?

Miss EHRENFELD. No.

Mr. COHN. In New Haven?

Miss EHRENFELD. No.

Mr. COHN. Did you ever attend a meeting that you now think might have been a Communist meeting?

Miss EHRENFELD. No.

Mr. COHN. You have any doubt about that?

Miss EHRENFELD. No.

Mr. COHN. None whatsoever?

Miss EHRENFELD. No.

Mr. COHN. All right, that will be all for this afternoon. We will let you know when we want you back.

The CHAIRMAN. We may not want you back. Incidentally, your name will not be given to the press by the committee, so that the only way that anyone will learn that you were here is if you decide to tell them yourself. We just want you to know that there will be no publicity as to the fact that you were here, unless you decide to give it out yourself.

Miss EHRENFELD. Thank you very much.

The CHAIRMAN. I doubt very much we will want you back, I wish you would consider yourself still under subpoena, and in case there is any further information we want we will let you know. Thank you very much.

[Witness excused.]

**TESTIMONY OF ABRAHAM UNGER (ACCOMPANIED BY
COUNSEL, BERNARD JAFFE) (RESUMED)**

Mr. UNGER. During the recess I conferred with my partner, and he has reminded me that we were the attorneys of record in the original Smith Act trial, and that in the course of that time a number of people were employed for various tasks, among which was the job of research, and among whom was Mr. Reiss, who was on a payroll which was handled by him, by my partner, whose name is David M. Friedman, and I think that is the complete story. How long a period of time he worked there, whether it was months or weeks, I have no recollection.

Mr. COHN. So the specific matter on which Mr. Reiss was working was research in connection with the defense of the Communist leaders, your firm having been attorneys of record for them?

Mr. UNGER. That is the employment to which you refer.

Mr. COHN. All right, sir, fine. That clears that up. Now, can we get back to the question as to whether or not you knew—

Mr. UNGER. I restate my objection, and also add the further fact that I do not know.

Mr. COHN. Pardon me?

Mr. UNGER. I do not know.

Mr. COHN. You don't know?

Mr. UNGER. I don't.

Mr. COHN. You have no knowledge as to whether he is or is not a Communist?

Mr. UNGER. Precisely.

Mr. COHN. Or whether he was or was not in the year 1950?

Mr. UNGER. That's right.

Mr. COHN. You have no knowledge of that?

Mr. UNGER. Precisely.

Mr. COHN. Were you yourself at that time the head of the professional group of the Communist party in this area?

Mr. UNGER. I object to the question, and here we are back again to the original issue raised by the senator's representation and the representation made by the counsel for the committee. It has been represented to us that this was an inquiry into the employment or association of Mr. Remes or Reiss, myself and my partner. There is no relevancy in the question now propounded in so far as the nature of the examination being conducted here, and it is not within the province of this committee to make such inquiry as to the political beliefs and opinions of myself. I object, for the reason that this is an intrusion upon the personal political rights and freedoms of an individual, and entirely outside the scope and powers of a congressional committee, having no relevancy to the subject of an investigation, not being pertinent or material to the investigation, and intended solely for ulterior purposes which are improper and unlawful, and I therefore object to answering that question.

I further would indicate that that is a violation of the representation already made by the chairman of the committee and by counsel for the committee.

Mr. COHN. That is just not accurate.

Mr. UNGER. I insist that it is.

The CHAIRMAN. You have your position. Let us see. Number one, Mr. Cohn, you certainly are strictly within the jurisdiction of the committee when you inquire with regard to this UN employee, Mr. Reiss, when you inquire as to his Communist connections, whether he belongs to a conspiracy against this country. I think that you are within your right when you inquire as to whether or not he was the employer who worked in defense of men accused of teaching and advocating the overthrow of the government by force and violence. I believe to go into the background of Reiss and to get the full picture of him you must get the background of anyone associated with him.

Mr. COHN. Of course, this witness says he doesn't know whether or not Reiss is a Communist. As you know, Mr. Chairman, we have some evidence to the contrary, and it appears that Mr. Reiss was a member of the party.

The CHAIRMAN. In other words, you have got information that shows this witness either knows or should know that Reiss was a Communist; is that right?

Mr. COHN. That's right.

The CHAIRMAN. And one way to evaluate his testimony is to find out whether or not he is in a position to know whether or not he was a member of the Communist party. In addition to that, he works for government agencies—this witness himself does.

Mr. UNGER. Who does?

The CHAIRMAN. Practices before government agencies. I think there is no question about that. Don't you think so?

Mr. COHN. There is not.

The CHAIRMAN. The witness will be ordered to answer the question.

Mr. JAFFE. May I say this, Senator—

The CHAIRMAN. No. I may say that you may advise with your client fully, but the rules of the committee, that have been adopted

by the several members of the committee, are that a lawyer can advise with his client as freely as he cares to at any time, but the lawyer is not allowed to take part in the proceedings. Therefore, you can advise with your client as much as you care to. If there are any questions in mind that you care to ask Mr. Cohn and myself, we will be glad to try and answer them for you

Mr. JAFFE. That is what I mean. Can I ask you a question?

The CHAIRMAN. Oh, certainly.

Mr. JAFFE. See, when we first started, and I suggested that an adjournment would be desirable, you indicated that the scope of the inquiry would be about this man Riess.

The CHAIRMAN. Yes.

Mr. JAFFE. And, well, as far as I am concerned, as a lawyer, if somebody wants to answer a few questions about a particular individual, he can go ahead.

But are you now indicating that this man's whole activities, just like Riess' whole activities, were open for your inquiry, now this man's whole life, and his opinions, and his activities, become open for inquiry?

The CHAIRMAN. I am not concerned with his opinions at all. One of the questions is whether or not Riess was a high functionary of the Communist party. This witness says he doesn't know. It is very pertinent to find out whether he is in a position to know or not. He has been asked a very simple question, whether or not he himself is high in the party. If so, he would know whether Riess is a member. He will be ordered to answer that, unless he wants to take advantage of the Fifth Amendment, of course.

Mr. JAFFE. Well, I wonder whether I might act upon your earlier suggestion, then, and request an adjournment of this so that I can discuss this with him fully, because this opens up an entirely new area of inquiry, if I am to participate in it.

The CHAIRMAN. I think that is a reasonable request.

Mr. UNGER. I should like to state for the record that the witness has been misled by representations made by the senator and a member of the bar in this inquiry, that after carefully thinking over the problem, no reasonably minded person can come to the conclusion that the questions presently propounded, or the line of inquiry that seems to be indicated has any relevancy to, has any bearing upon what was represented to be the subject of the inquiry.

I have thought very carefully in the few minutes concerning that matter, and I say, therefore, that the inquiry is not now within the purview set down by the—within the purview of the subject matter of the investigation or represented by the senator and the counsel.

The CHAIRMAN. Do you want an adjournment? I won't hear any statement, if you want an adjournment. I am not going to spend any more time with you. Are you asking for an adjournment?

Mr. UNGER. I concur with the request of counsel for an adjournment.

The CHAIRMAN. All right. You will be given a recess until tomorrow morning at 10:30. I may say, for your benefit, under the rules of the committee, this committee has absolute jurisdiction if we wanted to go into any subversive activities on your part, in view of the fact that you are admitted to practice before a United States agency. That is not the principal purpose of this hearing. What we

are interested in are the subversive activities of Mr. Reiss. We will give you adjournment until 10:30 tomorrow morning.

Mr. UNGER. I will be in court at 10:30 tomorrow morning. I have a court engagement set before this.

Mr. COHN. What is the engagement?

Mr. UNGER. The case of People vs Vitale and two others.

Mr. COHN. Where is that? What court?

Mr. UNGER. In felony court, youth term.

Mr. COHN. Here in Manhattan?

Mr. UNGER. Yes.

Mr. COHN. How long do you imagine that is going to take?

Mr. UNGER. Maybe twelve, one o'clock.

Mr. JAFFE. May I request your indulgence, Senator, for my own purposes? As I say, I was called into this on very, very short notice. My own schedule today is disrupted and it is very crowded tomorrow. As a result, I wonder whether or not you could indulge me in some additional time beyond that, so that I can really have an opportunity to talk to him and know whether or not I can go ahead or should represent him.

The CHAIRMAN. Well, here is our only problem. I certainly would like to give you all the time that you think you need to examine this legal question. We have the entire staff up here; we have other work set for next week and the week after. Our schedule calls for disposing of this this week. I don't think we should disrupt your client's legal work that he is planning on doing tomorrow morning. If he is going to be in court until one o'clock, he shouldn't be asked to come here and testify. I frankly don't think it is unreasonable if we gave him instead of 'til 10:30 in the morning, in view of this court work, that we give him until some time tomorrow afternoon.

We can do this: We can try and suit your convenience as to the time we set for tomorrow afternoon. In other words, if it will be easier for you to come in at 2:30, or 3:30, or 1:30, we will try and accommodate you as to that.

Mr. UNGER. You said at the outset that you will put it off until next week.

Mr. COHN. No, Mr. Unger, please.

Mr. UNGER. Was I mistaken?

The CHAIRMAN. No, you asked for a week's adjournment and I said if the matter came up and we needed additional time, we would try and work it out.

Mr. JAFFE. This is an inquiry into Mr. Unger himself. Now, I don't know what is involved personally, again. I am a lawyer. I would like to inquire into it. I have heard Mr. Unger object to this statement. I would like to discuss that with him, and frankly, Senator, I realize that you are taking Mr. Unger's convenience into consideration, but I want you to take into consideration my own convenience.

Mr. UNGER. I want to say, Senator—to aid you in forming a judgment—I want to say to you, you have been told everything there is to know concerning the relation of Mr. Unger or Mr. Friedman with Mr. Remes, or Mr. Reiss.

Mr. COHN. You say that now, Mr. Unger.

Mr. UNGER. What?

Mr. COHN. I say, you say that now. A few minutes ago you were equally sure that Mr. Reiss had never been paid any money by your firm, or he had not been employed by your firm.

Mr. UNGER. That means nothing inconsistent. When I say "equally sure," I meant just what I said, and as far as I was concerned, he was not employed by us, and as a matter of fact you might have asked about ten or fifteen other persons who were employed in the same manner, and my answer would undoubtedly have been the same, because in the course of my practice as an attorney with my partner, I normally would know the people that we employed. We employed a stenographer, we may have employed a clerk, and that would be the end of it. This happened to be a special and a very peculiar kind of relationship that lasted for a short period of time, and as you yourself are aware of, it was in connection with one case. That is an obvious explanation for my having made the statement. I didn't make the statement out of bravado, or out of a simple desire to answer your question, but out of a conviction that that was the fact. I find out that I am in error about it. I correct that statement. You now have everything, practically everything—I say practically, because I don't again want to be held to whether or not I saw him one day on the street. You now have everything that there is to know which might have any relevancy to an inquiry by a Congressional committee concerning the relation of Mr. Friedman or with Mr. Remes or Mr. Reiss, period.

Mr. COHN. You see, the senator has to pass judgment on the question of relevancy. You don't know what we have and what we want to do.

Mr. UNGER. I said to you now, when I say, "relevancy," all that I mean by that is that it excludes such a question as whether or not I had a drink with him one day. But insofar as it has anything to do with any business relations of any kind, you have got the whole story, because that is all there is to it. There is nothing more to it than that.

Mr. COHN. The question we have now—I mean we have to ask the questions we have to ask—the matter of adjournment.

The CHAIRMAN. Number one, it is important to know what, if any, dealings he had with this man as a member of the Communist party.

Mr. UNGER. You have been told what they were.

The CHAIRMAN. Please don't interrupt. It is important to know what dealings he had with this man Reiss, who has been identified as a top functionary of the Communist party, in order to pass upon the veracity of this witness, his credibility, and to know what position he was in, to know whether or not Reiss was a Communist. It is certainly relevant to know whether this man was a top member of the party. I think if counsel makes a point, however, that it is a very important matter to him. He was subpoenaed yesterday.

Mr. COHN. Of course, the witness is a member of the bar himself.

The CHAIRMAN. He is a member of the bar and he has been dealing with this particular type of work, so it is not new to him at all, in defending these cases.

We will give you your choice, whether you want to come in at 9:30 Thursday morning—that is a bit early—or if you want to come

in sometime Wednesday afternoon, and tell us what time you prefer. I might say, we are trying to accommodate you as to the time on Wednesday afternoon.

Mr. JAFFE. Couldn't you make it at least Thursday afternoon, Senator, after your public sessions are over?

The CHAIRMAN. We cannot, because the public sessions will last most likely Thursday and Friday.

Mr. JAFFE. At any time that they are over in the afternoon—you see, it would be so much better for me, frankly. One of my partners is away right now.

Mr. UNGER. Why don't you put it over 'til next weekend?

Mr. COHN. We can't do it.

Mr. JAFFE. If you put it over 'til Thursday or Friday, any time.

Mr. COHN. We can't do it, Mr. Unger. We have to get this over with. We have a lot of other witnesses.

Mr. UNGER. Why don't you take your other witnesses, if your object is, as you state, or represented to me—or as you state it in the newspapers—then I don't know why you persist in saying that you have to have it tomorrow, when you are now told that there is no more that you can get that has any bearing at all on this matter in the remotest way?

The CHAIRMAN. The information that has a bearing is whether or not you are a top member of the party.

Mr. UNGER. I didn't hear you.

The CHAIRMAN. The information that has a very direct bearing is whether or not you yourself were a top member of the party.

Mr. UNGER. I thought you were making an inquiry into Mr. Remes, or Reiss.

The CHAIRMAN. We are not going to argue with you.

Mr. UNGER. The whole point is in reference to the adjournment.

Mr. JAFFE. If you can't put it over 'til next week, couldn't you make it the afternoon of Thursday or Friday? Any time you say; you can give me a call, or give Mr. Unger a call when you are finished.

Mr. UNGER. That's an idea. Give me a call, and give me a couple of hours notice. Do you want to do it that way, on a couple of hours notice?

The CHAIRMAN. We will make it Thursday afternoon at two o'clock.

Mr. JAFFE. All right. Now, would the same thing apply to Mr. Friedman?

The CHAIRMAN. Yes.

Mr. JAFFE. Because the same information would be given by Mr. Friedman.

Mr. COHN. They are probably in the same boat.

Mr. JAFFE. And you propose to ask Mr. Friedman about his—

The CHAIRMAN. Yes. Just so there will be no question about the scope of the examination, we will question both Mr. Friedman and Mr. Unger on the activities of Mr. Reiss or Mr. Remes, the capacity in which he worked in the office, the type of work he was doing, whether he was known to them as a Communist, anything else about him that would reflect upon that question, and we will ask both Mr. Unger and Mr. Friedman about their own activities, if any, within the party. That will be necessary so that we can deter-

mine whether or not they are in a position to know whether he was a Communist or not, and I may say, just for the benefit of counsel, we have a rule of the committee, passed unanimously by the committee, to the effect that the chair can institute preliminary investigations, call witnesses on any matter having to do with the business of the federal government, so that even if Mr. Reiss' United Nations matter were not up here, my interpretation of the authority of the committee would be that we could call Mr. Unger anyway, in view of his having been admitted to practice before a federal agency. I bring that up because Mr. Unger was questioning the jurisdiction of the committee.

I think we should subpoena, Roy, the records having to do with the payments made to Mr. Reiss.

Mr. COHN. Bring down just whatever you have reflecting whatever payments were made to Reiss at any time by your firm or by yourself.

Mr. UNGER. I can see no reason offhand for not having them, but I shall have to discuss that with my partner.

The CHAIRMAN. So the record will be clear, the witness is ordered to produce the records showing payments made to Mr. Reiss, or showing the type of work that Mr. Reiss did while in the employ of the witness Unger, or his partner, Mr. Friedman, or the firm. That will be two o'clock on Thursday. [Witness excused.]

**TESTIMONY OF DIMITRI VARLEY (ACCOMPANIED BY HIS
COUNSEL, HERMAN A GRAY) (RESUMED)**

The CHAIRMAN. The witness is reminded that he is still under oath.

Mr. CARR. Mr. Varley, do you know a man named Johannes Steel?

Mr. VARLEY. I don't believe so. I think I met him at one of the UN cocktail parties.

Mr. CARR. Would you recall what year you met him?

Mr. VARLEY. Well, that would be anywhere from '46 on, I guess.

Mr. CARR. You have no recollection as to the year?

Mr. VARLEY. No—I mean from '46 on.

Mr. CARR. After you were at the UN?

Mr. VARLEY. Yes.

Mr. CARR. Do you know who Mr. Steel is?

Mr. VARLEY. Yes. He is a journalist.

Mr. CARR. And a commentator. Did you ever subscribe to a newsletter that he put out?

Mr. VARLEY. I did.

Mr. CARR. Did you subscribe at the time you met him, or had you subscribed previous to that?

Mr. VARLEY. I don't remember the date. I subscribed on the basis of the ad I received.

Mr. CARR. An ad that you had received?

Mr. VARLEY. Yes.

Mr. CARR. Do you think this was prior to the time you went to the UN?

Mr. VARLEY. I don't remember clearly. I can check up, but I—

Mr. CARR. You say you met him at a cocktail party, you think, at the UN?

Mr. VARLEY. If I did meet him at all, I think I met him at one of those receptions.

Mr. CARR. At the UN itself?

Mr. VARLEY. Not necessarily; at one of the receptions given by a delegation.

The CHAIRMAN. Which delegation?

Mr. VARLEY. I wouldn't be able to recall. I have very vague recollections, because I heard the name, I knew he was a journalist, and I think it was some kind of a thing that so and so, and you shake hands.

The CHAIRMAN. Is it a usual practice for the delegations to invite well known Communists to their parties, their cocktail parties?

Mr. VARLEY. I don't know what their practice is.

The CHAIRMAN. At the time you met him, did you have any idea that he was a Communist?

Mr. VARLEY. I don't know whether he is a Communist or not.

The CHAIRMAN. Do you know now?

Mr. VARLEY. I don't know anything about him besides except subscribing to his letters.

The CHAIRMAN. How did you pay for the subscription, do you recall?

Mr. VARLEY. Mostly by my check.

The CHAIRMAN. By a check to him?

Mr. VARLEY. Yes.

The CHAIRMAN. Did you have correspondence with him?

Mr. VARLEY. No, sir, except sending subscription to whoever it was.

The CHAIRMAN. Did you ever write to him?

Mr. VARLEY. No, sir, not to my recollection.

The CHAIRMAN. Did you think that the material which he sent you followed the Communist line?

Mr. VARLEY. I wouldn't clearly remember. I remember much material he would write on foreign news, and my general impression—may I continue, or do I make it too long?

The CHAIRMAN. You may continue.

Mr. VARLEY. I felt that it was rather lengthy and uneven material, but there were some bits of stories that were not in the daily newspapers it was worth reading.

The CHAIRMAN. How much did you pay for the paper, the newsletter?

Mr. VARLEY. I think it was four or five dollars.

The CHAIRMAN. A year?

Mr. VARLEY. Yes. The reason why I think that, because I thought it was expensive, because it was, I think, a monthly mimeographed letter.

The CHAIRMAN. How many years did you subscribe to it?

Mr. VARLEY. I would think about two years.

Mr. CARR. You renewed the subscription to it?

Mr. VARLEY. I think so, but I think it folded up, because I have recollection that it stopped.

The CHAIRMAN. It was a strictly Communist sheet, wasn't it, put out by top Communists?

Mr. VARLEY. I don't know that he is a Communist, and I didn't think it was.

The CHAIRMAN. Did you have any reason to think he was a Communist?

Mr. VARLEY. No.

The CHAIRMAN. Did his material follow the Communist line? You could tell by reading that he was a Communist, couldn't you?

Mr. VARLEY. Really, Senator, I am trying to think hard, and the last thing I remember about Steel was his radio comments during the war. I don't recall them being Communist material.

The CHAIRMAN. You say you don't recall that the newsletter you got from him appeared to be Communist?

Mr. VARLEY. I didn't have that impression, Senator.

Mr. CARR. Now tell me, Mr. Varley, did you ever subscribe to any other newsletter?

Mr. VARLEY. I can't think offhand. May I ask my lawyer?

Mr. CARR. Certainly.

[Whereupon, the witness consulted with his counsel.]

Mr. VARLEY. I have no clear recollection.

Mr. CARR. The only newsletter you recall ever subscribing to was the one put out by Johannes Steel?

Mr. VARLEY. Yes. Since you asked me that question, I recall that.

Mr. CARR. It is possible there may have been some others, but that is the only one you recall at this point?

Mr. VARLEY. Yes.

The CHAIRMAN. How about the *Daily Worker*?

Mr. VARLEY. I didn't subscribe to *Daily Worker*.

The CHAIRMAN. Did you buy it, or get it?

Mr. VARLEY. Many years ago I read it, but whether I read it in the library or bought it on the stand, I don't remember.

The CHAIRMAN. How many years ago?

Mr. VARLEY. I would say it would be at least fifteen years or so—up to the point when it was easier to get Russian papers and I was looking for the material on Russian economic news.

The CHAIRMAN. Did you ever go to any Communist party meetings?

Mr. VARLEY. No, sir.

The CHAIRMAN. Sir?

Mr. VARLEY. No, sir.

The CHAIRMAN. Did you know anyone who was a member of the Communist party?

Mr. VARLEY. Not to my knowledge.

Mr. CARR. Did you ever know a man named Harley Freeman?

Mr. VARLEY. Harley Freeman? Yes, I know him.

Mr. CARR. Did you know that he was a member of the Communist party?

Mr. VARLEY. I don't know.

Mr. CARR. Do you know his wife, Vera?

Mr. VARLEY. I know her, yes.

Mr. CARR. Do you know that she is a member of the Communist party?

Mr. VARLEY. No, sir.

Mr. CARR. Did you know at that time that you knew them?

Mr. VARLEY. I didn't know, and I don't know.

The CHAIRMAN. How well do you know them?

Mr. VARLEY. I know them socially for several years.

The CHAIRMAN. You visited their home, did you?

Mr. VARLEY. I did.

The CHAIRMAN. And they visited yours?

Mr. VARLEY. They did.

The CHAIRMAN. You still have that association?

Mr. VARLEY. I see them infrequently socially, yes.

The CHAIRMAN. How many times have you been at their home in the last six months?

Mr. VARLEY. I think I was once—that is, to my best recollection—last six months.

The CHAIRMAN. How many times would you say they have been to your home in the last six months?

Mr. VARLEY. They haven't been at my home during the last six months.

The CHAIRMAN. Have you met them any place outside of their home in the last six months?

Mr. VARLEY. No, sir, not that I can recall.

The CHAIRMAN. Did you ever discuss communism with them?

Mr. VARLEY. No, sir.

The CHAIRMAN. You say you never had any reason to know they were Communists?

Mr. VARLEY. No, sir.

The CHAIRMAN. You never suspected it?

Mr. VARLEY. No, sir.

Mr. CARR. Did you know that Freeman had been associated with the TASS?

Mr. VARLEY. Yes, sir.

Mr. CARR. Did you know that he had been employed by the *Daily Worker*?

Mr. VARLEY. I might have heard it, that he was employed but I am not sure that I—

Mr. CARR. You never discussed that with him?

Mr. VARLEY. No, sir. He is employed by TASS, that I know.

The CHAIRMAN. You knew he was employed by TASS?

Mr. VARLEY. Yes.

The CHAIRMAN. And you heard that he worked at the *Daily Worker*?

Mr. VARLEY. I am not sure.

The CHAIRMAN. You say you had no reason to think that he might have been a Communist?

Mr. VARLEY. Yes, sir.

The CHAIRMAN. You still say that?

Mr. VARLEY. I still say that.

The CHAIRMAN. That is, a man works for TASS and the *Daily Worker*, and you have no reason to think that he might have been a Communist?

Mr. VARLEY. I am not sure that I know he worked for *Daily Worker*. You mentioned it, and I am—

The CHAIRMAN. I might say that you are not even trying to be truthful with us, when you tell us that this friend of yours, that you know, whom you visit, who visits your home, you know he works for the Communist paper from Moscow, and you heard he worked for the *Daily Worker*, and then you sit there and perjure yourself and say, "I had no reason to know he was a Communist."

You know better than that. If you don't then you shouldn't be holding a \$12,000 a year job at the UN. You can go right ahead and do all of the lying you care to. We will give you all the chance in the world. I have warned you three or four times either to tell us the truth or refuse to answer.

Mr. VARLEY. Senator, I didn't refuse to answer. I am trying to be as cooperative as I can, and when you ask me whether he worked, what I know, I did say and I did tell you that I didn't discuss communism with him, and I have no reason to know that if he worked for TASS, he must be Communist.

Mr. CARR. Do you know Amy Oppenheimer?

Mr. VARLEY. No, sir.

Mr. CARR. From Tuckahoe, New York?

Mr. VARLEY. No, sir.

Mr. CARR. You don't know her?

Mr. VARLEY. No, sir.

Mr. CARR. Are you sure of that, now?

Mr. VARLEY. No, sir.

Mr. CARR. You have no recollection of having been in contact with Amy Oppenheimer?

Mr. VARLEY. Could you tell me who she is? Maybe I can—

Mr. CARR. Amy Oppenheimer was a prominent member of the tri-county section of the Communist party—tri-county meaning covering the Tuckahoe area.

Mr. VARLEY. No, sir, I don't know her.

Mr. CARR. You never had any contact with her that you recall?

Mr. VARLEY. No, sir.

Mr. CARR. Have you ever contributed to the Veterans of the Abraham Lincoln Brigade financially?

Mr. VARLEY. That is the question the counsel asked me this morning, and I might have, but I have no clear recollection.

Mr. CARR. Did you ever contribute to the American Committee for the Protection of the Foreign Born?

Mr. VARLEY. I did.

Mr. CARR. You did. When was that, do you recall?

Mr. VARLEY. This morning, I said '49, '50. I don't recall the date, but maybe we could—

Mr. CARR. That is all right.

The CHAIRMAN. Incidentally, I am not sure if counsel has identified himself.

Mr. GRAY. Yes, I did this morning: Herman A. Gray, G-r-a-y, 551 Fifth Avenue, New York.

The CHAIRMAN. All right.

Do you recognize the American Labor party as Communist controlled?

Mr. VARLEY. I have no knowledge to believe so, sir.

The CHAIRMAN. Did you think it is not Communist controlled?

Mr. VARLEY. I don't know enough whether it is or not.

The CHAIRMAN. When you join a party and register as a member, don't you first find out whether it is run by the Communists or not, or are you interested in that?

Mr. VARLEY. I registered with the party many years ago and I kept up that registration. At the time when I registered I remem-

ber seeing some material on the aims of the American Labor party, and it didn't appear to me to be in any way contrary to it.

The CHAIRMAN. You registered again in 1950, didn't you?

Mr. VARLEY. Yes, I repeated registration, but I didn't examine their aims—reexamine their aims, and I assumed they were more or less what they were to start with.

The CHAIRMAN. You didn't read the publicity in the paper about their being Communist controlled?

Mr. VARLEY. I think I mentioned this morning that I have seen something, I believe, during election campaign, but I didn't see any—I mean, nothing to convince me that it was the case.

The CHAIRMAN. Did you ever hear of a publication called *In Fact*?

Mr. VARLEY. Yes.

The CHAIRMAN. Did you sell that?

Mr. VARLEY. No, I did not.

The CHAIRMAN. Didn't you ever sell that?

Mr. VARLEY. Sell *In Fact*?

The CHAIRMAN. Yes.

Mr. VARLEY. I subscribed to it once.

The CHAIRMAN. Did you ever sell it?

Mr. VARLEY. Not to my knowledge, not to my recollection.

The CHAIRMAN. You don't recall ever having sold it?

Mr. VARLEY. Excuse me, would you repeat that?

The CHAIRMAN. You don't recall ever having sold it?

Mr. VARLEY. I don't recall that. May I just come back to one question that counsel asked before? *In Fact* was also a sort of a kind of a newsletter, if I recall; it was way back, but I think it was kind of a page or two pages.

The CHAIRMAN. A Communist publication, was it not?

Mr. VARLEY. Not to my knowledge.

The CHAIRMAN. Outside of the newsletter by Steel, who has been named as a Communist, *In Fact*, which has been described as a Communist publication, you don't recall having subscribed to any other newsletters or papers?

Mr. VARLEY. Well, I subscribed, I recall, to the information bulletin published by the Soviet embassy, when it existed, but I didn't consider it—I considered it governmental publication.

The CHAIRMAN. You subscribed to the Soviet embassy bulletin? How many years did you get that? How many years did you subscribe to that?

Mr. VARLEY. I think I started receiving it about 1945, roughly.

The CHAIRMAN. How many years did you, subscribe to it?

Mr. VARLEY. And I got it until it was—they discontinued it, or it was stopped.

The CHAIRMAN. Did you get bulletins from any of the other embassies?

Mr. VARLEY. I do not recall, except that occasionally I would get newsletters in my office from some countries—maybe Australian or Brazilian. I wouldn't recall.

Mr. CARR. Do you know a man named Vladimir Kazakvich?

Mr. VARLEY. I did know him years ago.

Mr. CARR. When?

Mr. VARLEY. I went to college with him.

Mr. CARR. What college was that?

Mr. VARLEY. Columbia.

Mr. CARR. Columbia University?

Mr. VARLEY. Yes.

Mr. Carr, Were you a fellow student or——

Mr. VARLEY. We were fellow students.

Mr. CARR. You were fellow students?

Mr. VARLEY. Yes, at Columbia University.

Mr. CARR. He has been accused of being a Soviet agent?

Mr. VARLEY. No, sir.

Mr. CARR. When did your acquaintanceship with him end or does it continue today?

Mr. VARLEY. I knew him for some time after the college and saw him occasionally, and stopped seeing him, I would say, roughly around or before the war.

Mr. CARR. You haven't seen him since before the war, before 1941?

Mr. VARLEY. I have no recollection. Then I heard that he left for Russia. That is about all I knew about him.

The CHAIRMAN. In other words, you saw him up until he left for Russia?

Mr. VARLEY. I didn't see him—I might say that I have seen him in the college days frequently and quite often after that, because we both were members of a student organization.

The CHAIRMAN. What student organization?

Mr. VARLEY. It was National Russian Students Christian Association.

The CHAIRMAN. National Russian——

Mr. VARLEY. Students Christian Association.

The CHAIRMAN. Are you of Russian descent, incidentally?

Mr. VARLEY. Yes, sir—excuse me, am I of Russian descent?

The CHAIRMAN. Yes.

Mr. VARLEY. Yes, sir.

The CHAIRMAN. Were you born in this country?

Mr. VARLEY. No, I was born in Russia.

The CHAIRMAN. When did you come from Russia?

Mr. VARLEY. I came here in 1923.

Mr. CARR. Were you a member of a Soviet espionage ring in conjunction with Mr. Kazahevich?

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever speak to you concerning what he was doing?

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever approach you——

Mr. VARLEY. May I just——

Mr. CARR. Go ahead.

Mr. VARLEY. When you say was I a member of a ring, that I don't even know of such a ring, so he never spoke to me about it.

Mr. CARR. Did he ever speak to you about what he was doing? When I say "what he was doing," I mean what he was doing in connection with this Soviet espionage ring.

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever approach you to join with him in this ring?

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever ask any favors of any kind of you?

Mr. VARLEY. That is more difficult question, because during the student days he might have borrowed something from me and I borrowed from him.

Mr. CARR. Following that period, in the period up to when you last saw him sometime before the war, roughly 1941, did he ever ask you to furnish him with any information?

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever ask your opinion concerning any information—when I say “any information,” I mean on any subject other than the weather, a ball game, or something like that.

Mr. VARLEY. You mean in terms of the espionage?

Mr. CARR. Right.

Mr. VARLEY. No, sir.

Mr. CARR. Do you know where he is today?

Mr. VARLEY. No, sir. I heard that he left for Russia.

Mr. CARR. You haven't heard from him since he left?

Mr. VARLEY. I haven't heard from him. Actually I haven't seen him for years before he left for Russia.

Mr. CARR. When you were a member of the State, County and Municipal Workers Union, did you not sell copies of *In Fact* to other members of your local?

Mr. VARLEY. I cannot recall anything of that sort, sir. I remember, as I told you, that I subscribed myself.

Mr. CARR. You don't remember seeing the man at your local, Local 28, I believe it was, who distributed the *In Fact* magazine letter?

Mr. VARLEY. I have no recollection.

Mr. CARR. You have no recollection of that whatsoever?

Mr. VARLEY. No, sir.

Mr. CARR. Do you know a man named Kenneth Durant?²

Mr. VARLEY. I do.

Mr. CARR. Who is he?

Mr. VARLEY. He is the husband of a woman who is dead now, who was a teacher of my wife, who was a famous American poet. Her name was Genevieve Taggard. That is how I met him.

Mr. CARR. When is the last time you saw Kenneth Durant?

Mr. VARLEY. I stopped at his place this summer about—when was it—July or August.

Mr. CARR. This year?

Mr. VARLEY. This year—and that was, I believe, first time I saw him in about last three years or approximately that.

Mr. CARR. You mean since 1949?

Mr. VARLEY. Roughly, yes.

Mr. CARR. Did you ever know Durant as a member of the Communist party?

Mr. VARLEY. No, sir.

Mr. CARR. Did he ever approach you to join the Communist party?

Mr. VARLEY. No, sir.

²Kenneth Durant served as the chief American representative of TASS—Telegrafnoye Agentstvo Sovetskovo Soyuz or Telegraph Agency of the Soviet Union—from 1919 until 1944.

Mr. CARR. Did you know that during the period that you were in contact with him, which now includes up through 1953, that he has been a liaison between the Soviet Union and the Communist party of this country?

Mr. VARLEY. No, sir.

Mr. CARR. You had never heard of that?

Mr. VARLEY. No, sir.

Mr. CARR. Had you ever heard of him being accused of being such a liaison?

Mr. VARLEY. I have seen something in the newspapers or a magazine article, but I don't remember where it was—very recently, but very vaguely.

Mr. CARR. Well——

Mr. VARLEY. May I just [consulting with counsel]. I really don't remember.

Mr. CARR. But it was prior to July or August of this year when you visited him again?

Mr. VARLEY. I can't really remember clearly.

Mr. CARR. You don't remember clearly concerning that?

Mr. VARLEY. No.

Mr. CARR. Where does Durant live? Where did Durant live at the time you visited him in 1953?

Mr. VARLEY. In Vermont.

Mr. CARR. In Vermont? What place is that?

Mr. VARLEY. He lives on a farm. It is either East Jamaica or Jamaica.

Mr. CARR. Now, just so this will be straight, at the time you visited him in 1953, was that a social visit?

Mr. VARLEY. Purely social visit.

Mr. CARR. Did you stay there any length of time?

Mr. VARLEY. We came very late, I would say about seven o'clock. They were going to some concert. They didn't expect us—we were driving by—so they invited us to go to a concert. We went with them to a concert, and we left early following morning.

Mr. CARR. Did you stay overnight?

Mr. VARLEY. We stayed overnight.

Mr. CARR. At his residence?

Mr. VARLEY. At his residence.

Mr. CARR. Well, prior to this visit, had you heard that he was a member of the Communist party?

[Whereupon, Mr. Varley consulted with his counsel.]

Mr. VARLEY. No, I did not.

Mr. COHN. On this fellow Durant, we questioned you about him before the grand jury a year ago, didn't we, and told you he was a Communist?

Mr. VARLEY. You asked me whether I know he was a Communist. That is my recollection.

Mr. COHN. I see.

Mr. VARLEY. To my recollection, I said I didn't know.

Mr. COHN. Don't you know Whittaker Chambers testified that Durant was a liaison between Soviet underground and the Communist party?

Mr. VARLEY. No.

Mr. COHN. We told you that before the grand jury.

Mr. VARLEY. That Whittaker Chambers testified?

Mr. COHN. Oh, yes.

Mr. VARLEY. May I look at the grand jury minutes?

Mr. COHN. No, you can't look at them, and I can't look at them. Do you remember being questioned about Kenneth Durant before the grand jury?

Mr. VARLEY. That I remember. Yes, I do.

Mr. COHN. What did we tell you about Durant?

Mr. VARLEY. You asked me whether I knew that he was a foreign agent, I believe, and I said not to my knowledge.

Mr. COHN. Have you ever asked him whether or not he was?

Mr. VARLEY. No, sir.

Mr. COHN. You haven't. Didn't it interest you?

Mr. VARLEY. It is difficult to answer yes or no on that question. I had no reason to believe that he was, and therefore I didn't believe I should ask him that kind of a question.

Mr. COHN. You didn't think you should ask him that kind of a question?

Mr. VARLEY. No, sir.

Mr. COHN. And after you were questioned about him before the grand jury and all that, you continued to see him?

Mr. VARLEY. I saw him, yes, sir.

Mr. CARR. Just one or two questions, Mr. Varley. Do you know Caroline Flechener?

Mr. VARLEY. Yes, I do.

Mr. CARR. Was she instrumental in getting you your position with UNNRA?

Mr. VARLEY. No, Mr. Weintraub recommended me in UNNRA.

Mr. CARR. In what connection do you know Caroline Flechener?

Mr. VARLEY. She was working in UNNRA, and that is how—

Mr. CARR. A fellow worker with you?

Mr. VARLEY. Yes, and that is how I met her, I believe.

Mr. CARR. Did you know whether or not she was a member of the Communist party?

Mr. VARLEY. Not to my knowledge.

Mr. CARR. Did you ever attend any social gatherings with her?

Mr. VARLEY. I doubt it very much. I mean, I have no recollection about seeing her at any social events—again, unless it was those big parties—

Mr. CARR. In connection with your work?

Mr. VARLEY. Yes, where I am sure she was there, because it would be, say, a party given by a government.

Mr. CARR. When is the last time you saw her?

Mr. VARLEY. To the best of my recollection, during UNNRA, when Governor Lehman was there.

Mr. CARR. She is not in the UN now, is she?

Mr. VARLEY. Not to my knowledge.

The CHAIRMAN. You went up and stayed overnight at Durant's?

Mr. VARLEY. I did.

The CHAIRMAN. After you had been notified that he had been identified under oath as a liaison in the Communist underground of the Communist party of this country; is that correct?

Mr. VARLEY. I stayed at his house overnight, sir, but—could you repeat the question?

The CHAIRMAN. I will repeat it for you. The question is: Did you go up and stay overnight at the house of Kenneth Durant after you had been notified that Durant had been named under oath as a liaison between the Soviet underground and the Communist party in this country?

Mr. VARLEY. My recollection was that in the grand jury proceedings I was asked whether he was a foreign agent, and I said not to my knowledge.

The CHAIRMAN. Did they tell you at that time that he had been identified under oath as a foreign agent?

Mr. VARLEY. I have no recollection of that, sir.

The CHAIRMAN. You don't remember that?

Mr. VARLEY. The counsel just said that even name of Mr. Chambers was brought up in that connection. I just don't recollect that.

The CHAIRMAN. After you had been asked about his being an underground agent, you went up and spent the night with him; is that right?

Mr. VARLEY. I spent a night at his place.

The CHAIRMAN. Answer my question.

Mr. VARLEY. Yes, sir.

The CHAIRMAN. The answer is yes?

Mr. VARLEY. Yes.

The CHAIRMAN. How well do you know this man?

Mr. VARLEY. I knew him socially, because he was the husband of a woman who was my wife's teacher, an American poet who is dead now.

The CHAIRMAN. How many years have you known him?

Mr. VARLEY. I can't remember clearly when I met him for the first time.

The CHAIRMAN. About how many years ago?

Mr. VARLEY. It must have been before the First World War.

The CHAIRMAN. Now—

Mr. VARLEY. I am sorry, not before the First World War before the Second World War.

The CHAIRMAN. When you went up to see him, was that shortly after your appearance before the grand jury?

Mr. VARLEY. I appeared before grand jury—you mean when I visited him in the summer?

The CHAIRMAN. Yes.

Mr. VARLEY. Well, I appeared last before grand jury in 1952.

The CHAIRMAN. Did you contact him after you appeared before the grand jury?

Mr. VARLEY. Before or after I appeared before the grand jury?

The CHAIRMAN. After you appeared before the grand jury?

Mr. VARLEY. No, sir.

The CHAIRMAN. Didn't you get in touch with him immediately after that?

Mr. VARLEY. No, sir.

The CHAIRMAN. Are you sure?

Mr. VARLEY. I am positive.

The CHAIRMAN. When is the first time you saw him after you appeared before the grand jury?

Mr. VARLEY. After I appeared before the grand jury?

The CHAIRMAN. Yes.

Mr. VARLEY. This summer.

The CHAIRMAN. That is the only time you have seen him?

Mr. VARLEY. Yes, sir.

The CHAIRMAN. Did you tell him that you were asked about him before the grand jury?

Mr. VARLEY. I don't believe so. I think I mentioned that I was before the grand jury, but I did not think I mentioned that.

The CHAIRMAN. You didn't tell him he was named as a Communist agent, or a foreign agent?

Mr. VARLEY. I don't recall it, sir.

The CHAIRMAN. You will be excused for the time being, and your counsel will be notified when we want you back. You are informed that you are still under subpoena.

Mr. VARLEY. Do I do anything with the subpoena? Just hold it?

The CHAIRMAN. Just keep it.

[Whereupon, the hearings were adjourned until Wednesday, September 16, 1953, at 11:00 a.m. at the same place.]

SECURITY—UNITED NATIONS

[EDITOR'S NOTE.—Neither Frank Cerny (1888–1970) nor Helen Matousek (1909–1989), a social affairs officer at the United Nations, testified in public session.]

WEDNESDAY, SEPTEMBER 16, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 11:00 a.m., in room 128, of the United States Court House, Foley Square, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Donald O'Donnell, assistant counsel; Harold Rainville, administrative assistant to Senator Everett M. Dirksen.

TESTIMONY OF DR. FRANK CERNY

The CHAIRMAN. Will you stand up and raise your right hand, please?

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. CERNY. I do.

Mr. O'DONNELL. Will you tell us your full name, Doctor?

Dr. CERNY. Frank Cerny.

Mr. O'DONNELL. Did you know a girl by the name of Helen Matousek?

Dr. CERNY. Personally, no. I only know that she was in Paris before the war and at the beginning, during the war.

Mr. O'DONNELL. Were you in Paris, Doctor, and what was your particular job at that time?

Dr. CERNY. I was counsel of delegation of Czechoslovakia

Mr. O'DONNELL. In what years, Doctor?

Dr. CERNY. From '36 till '40—June, '40.

Mr. O'DONNELL. And you left in '41?

Dr. CERNY. I left because the Germans advanced to Paris.

Mr. O'DONNELL. Tell us what you know about Helen Matousek.

Dr. CERNY. Being official of the embassy, I was in communication with the Czechoslovak National Committee, which was created in Paris. This national committee had several divisions, and one of these divisions was information division. This information division was formed before the national committee was created. It was established, I think, already in the summer of '39, but the national

committee was recognized by the French government in November '39, and so this information bureau afterwards became part of Czechoslovak National Committee.

In this information division, about forty or forty-five employees, and, among them was Matouskova—that is, the Czech—in English is Matousek; in Czech Matouskova.

Mr. O'DONNELL. Is that Helen or Helena?

Dr. CERNY. Helena.

Mr. O'DONNELL. All right. Tell us what you know about her Communist activity.

Dr. CERNY. I didn't know her personally, but through my official business I was in contact with special commissioner of Surete Nationale, Vidal, and he told me—now, I don't know when—but he told me that Matouskova and another employee of the Information Division, Czinnereva, were arrested for Communist activities.

Mr. O'DONNELL. When were they arrested for Communist activities by the French police?

Dr. CERNY. It might have been in spring, '40. I don't remember. It might have been in spring, '40.

Mr. O'DONNELL. Do you know the disposition?

Do you know what happened to them after they were arrested?

Dr. CERNY. No, I don't know. I thought they were arrested also in this Kulture House, but they were not. But as I know, they have been at other times arrested Communists in France, who have been sent before the advancing Germans to North Africa, and Matouskova was probably also there.

Mr. O'DONNELL. What was this House of Kulture, Doctor?

Dr. CERNY. I couldn't tell, because I was never there and I was very busy in Paris. I know only that the Communists gathered there, that they had meetings there.

Mr. O'DONNELL. Were any Czech Communists involved in the House of Kulture Communist activities? Were there any Czech nationals involved in the House of Kulture?

Dr. CERNY. Sure. Vladimir Clementis was also there.

Mr. O'DONNELL. He was a Czech national?

Dr. CERNY. He was also a refugee and an emigrant in Paris, and he met with other Communists in this Kulture House.

Mr. O'DONNELL. Was there any other Czech nationals? How about Mr. Hofmeister?

Dr. CERNY. Hofmeister was arrested there, and one who accidentally was there and was Communist was Mr. Sturm, who is now in New York.

Mr. O'DONNELL. Now, you do not know that she was arrested in the House of Kulture with these Communists?

Dr. CERNY. I don't think so, because I have not it in my notes.

Mr. O'DONNELL. All right. Do you have any notes with you, Doctor?

Dr. CERNY. Yes, I have.

Mr. O'DONNELL. What do those notes say about her arrest as a Communist by the Paris police in 1940, with this other girl? What do your notes say?

Dr. CERNY. The Misses Matouskova and Czinnerova, sir, arrested for Communists, and I am sure I got it—I knew it from Mr. Vidal.

Mr. O'DONNELL. And Vidal was what?

Dr. CERNY. Was special commissioner of the Surete Nationale—that means of the minister of the interior in Paris.

Mr. O'DONNELL. When did you make those notes?

Dr. CERNY. It is an excerpt of my notes in four or five books. I ought to look in my notes when I did it.

Mr. O'DONNELL. These are excerpts of notes from your diary?

Dr. CERNY. From my diary, yes.

Mr. O'DONNELL. Well, which you kept from day to day?

Dr. CERNY. Yes.

Mr. O'DONNELL. So these notes, based on your diary, would have been made right after the arrest in May of 1940?

Dr. CERNY. Or three days, yes.

Mr. O'DONNELL. So that you are basing your statement now on a record that you kept in May of 1940; is that correct?

Dr. CERNY. In spring.

Mr. O'DONNELL. In the spring of 1940?

Dr. CERNY. That's right.

Mr. O'DONNELL. Do you know of any other names that she has ever used?

Dr. CERNY. No.

Mr. O'DONNELL. What was her married name?

Dr. CERNY. Matousek.

Mr. O'DONNELL. Do you know of any Communist activity on the part of her husband?

Dr. CERNY. No, he wasn't a Communist.

Mr. O'DONNELL. As far as you know?

Dr. CERNY. He was not Communist. He was a painter and he left France also for London, for England.

Mr. O'DONNELL. On the basis of what you know concerning her, Doctor, do you think that she is working against the interests of the United States and the allied countries?

Dr. CERNY. Having these Communistic ideas, yes, sure.

Mr. O'DONNELL. Do you think she is a proper employee for the United Nations, as far as the free world is concerned? Do you think she is a proper employee, as far as the free world is concerned?

Dr. CERNY. My personal opinion, no.

Mr. O'DONNELL. Your own opinion?

Dr. CERNY. In my own opinion, no.

Mr. O'DONNELL. You don't think she should be employed by the United Nation?

Dr. CERNY. No.

The CHAIRMAN. I want to thank you very much, Doctor.

[Witness excused.]

TESTIMONY OF HELEN MATOUSEK

The CHAIRMAN. Will you stand and raise your right hand, please?

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MATOUSEK. So help me God.

The CHAIRMAN. Will you state your full name, please?

Mrs. MATOUSEK. Helen Matousek, also known as Helen Matouskova, which is the Slav form of my name, born Helen Sommerova.

The CHAIRMAN. Is that Miss or Mrs.?

Mrs. MATOUSEK. I am divorced, sir.

The CHAIRMAN. Mrs. Matousek, counsel here have a couple of questions they want to ask you. We have several witnesses in who have testified in regard to your activities. Under our law you are entitled to refuse to answer any question if you think the answer in any way might incriminate you. It is very important to you that you either tell the truth or refuse to answer. Otherwise, if you give us a false answer, you are guilty of perjury each time you give an untruthful answer. I would like to impress that on you all I possibly can, in view of the fact you haven't got a lawyer.

Again I say it for your own good, either tell the truth, or refuse to answer, and we have a great deal of testimony in regard to alleged Communist activities on your part and counsel will ask you about that.

Have you anything to add to the advice I have given the witness?

Mr. COHN. No, sir.

Where are you employed, Mrs. Matousek, at the present time?

Mrs. MATOUSEK. I am working at the United Nations.

Mr. COHN. In what capacity?

Mrs. MATOUSEK. The Department of Social Affairs. I am the social affairs officer.

Mr. COHN. How long have you been with the United Nations?

Mrs. MATOUSEK. Since February 1949.

Mr. COHN. Now, when did you come to the United States?

Mrs. MATOUSEK. September 27, 1941.

Mr. COHN. Have you petitioned for naturalization?

Mrs. MATOUSEK. Yes, I have.

Mr. COHN. What is the status of your application?

Mrs. MATOUSEK. I have my first papers. I have applied for citizenship. I had my hearing in, I believe, December '48, and have not heard any direct result since. I have a number of times written the Immigration and Naturalization Department to inquire what the status was. I did not receive a reply. I have inquired and knew at the occasion of my signing the waiver of privileges and immunities and I was told that there are thousands of cases on hand, I have to be patient.

Mr. COHN. Were you in 1940 arrested in Paris, France, for Communist activities?

Mrs. MATOUSEK. I was arrested in May 1940, in Paris, for reasons unknown to me.

Mr. COHN. What do you mean by "for reasons unknown to you"?

Mrs. MATOUSEK. Because there was no trial, there was no hearing, there was no questioning.

Mr. COHN. What was the charge?

Mrs. MATOUSEK. There was no charge preferred, that I know of.

Mr. COHN. You mean it is your testimony you have no idea they arrested you, they just came along—

Mrs. MATOUSEK. Yes, I do have an idea.

Mr. COHN. Well, tell us.

Mrs. MATOUSEK. While I was in Prague, I was secretary of a committee for political refugees from Germany. That was from 1936 till spring, 1939. Some of these political refugees obviously were Communists, just as obviously some of them were not Com-

munists. They were political refugees from Germany. They were cleared by Czechoslovak police and they were passed on to the committee for care. I have, therefore, known a great many refugees, and inasmuch that I was detained in Paris, I was put in a detention camp for German nationals, the only explanation I have—and I admit that is my analysis—is that I might have been mistaken for a German national. That must also have been the understanding of my then government, which has issued, therefore, to me an affidavit confirming my Czech nationality. When I have shown this paper to the camp commander, he released me immediately.

Mr. COHN. Isn't it a fact that when you were arrested it was made very clear to you that you were being arrested with Communists on a charge of Communist activity?

Mrs. MATOUSEK. No, sir, no such a thing was said to me ever.

Mr. COHN. Were you arrested with some Communists?

Mrs. MATOUSEK. I was arrested with a number of people whom I didn't know. There was one person I did know; there was a Miss Margaret Zinner, whom I till then didn't know. I have not known her very well. She was working as a secretary at Czechoslovak National Council in Paris, where I have been working. She wasn't any particular friend of mine till then. I became friendly with her while we were detained together the two months.

Mr. COHN. I don't think you understood my question. The question is: Were any other persons arrested with you Communists?

Mrs. MATOUSEK. I didn't know the other persons. The only person I knew was Miss Zinner.

Mr. COHN. Was she a Communist?

Mrs. MATOUSEK. I don't believe so, but I do not know. I do not believe so.

Mr. COHN. You say you don't know; you didn't know any of the other persons?

Mrs. MATOUSEK. No.

Mr. COHN. Where did they come from?

Mrs. MATOUSEK. They were mostly German refugees, as far as I have heard from them, but I didn't know them.

Mr. COHN. You don't know if any of the other people arrested with you were Communists?

Mrs. MATOUSEK. No, I don't.

Mr. COHN. Did you find out whether or not any of them were charged with being Communists?

Mrs. MATOUSEK. I have no idea.

Mr. COHN. Therefore, during the period of your arrest, you never heard it said that any of the people arrested with you were arrested for Communist activity; is that what you want to tell us?

Mrs. MATOUSEK. That's right. I know that there were a great many people who were simply German refugees, who at that time lived in France or in Belgium. If you want me to tell it to you chronologically, when I was in Paris, when I was arrested, the night of the 19th of May, and taken to the Paris Prefecture of Police, the only person I knew was Miss Margaret Zinner. Both of us were perfectly convinced that this was some kind of a mistake, and the other persons who were around I didn't know. I do not know

who they were, and there wasn't too much discussion going on. When I was taken from the Police Prefecture——

Mr. COHN. Go right ahead.

Mrs. MATOUSEK [continuing]. To the Velodrome Devere, again that was the detention center for German nationals. I didn't know any of them until then except Miss Zinner. It didn't appear to me that these people were political refugees. Some may have been. I know there were some discussions going on. There were some people who were violently anti-Nazi and some of them who were violently anti-Russian. Remember, that was at the time of the Soviet-Russian Pact. So they were thrown together on the basis of their German nationality, and they were of all colors, I believe.

The CHAIRMAN. When did you first go to France?

Mrs. MATOUSEK. You mean to say in France or on visits?

The CHAIRMAN. On visits, or anything.

Mrs. MATOUSEK. Oh, I believe I went to France first on a tourist trip; I think it must have been in '35 or '36.

The CHAIRMAN. Then when did you go to France to live there?

Mrs. MATOUSEK. That was in April or May 1939, after I have escaped from Czechoslovakia.

The CHAIRMAN. Did you know a Dr. Prochek?

Mrs. MATOUSEK. Yes, I did. I didn't know him in Paris. I knew Dr. Charles Prochek; I met him in UNRRA in Washington in the spring of 1945. I believe he comes from Minneapolis.

The CHAIRMAN. Were you with UNRRA then?

Mrs. MATOUSEK. I was with UNRRA then.

The CHAIRMAN. Is that when you first met him, in 1945?

Mrs. MATOUSEK. That was the first time when I met him in person. However, I was in correspondence with his wife, who was one of the persons who provided an affidavit for me when I needed one for the visa. I didn't know about it; I was told about it by the Czech Consulate when I arrived here, so I wrote to her thanking her for this kindness, and then we had some, oh, spotty correspondence here and there. But I didn't know Dr. Prochek in person until I met him at this College Park in Maryland with UNRRA in the spring of 1945.

The CHAIRMAN. Where did you meet Mrs. Prochek?

Mrs. MATOUSEK. I never met her in person.

The CHAIRMAN. How could she give a letter, then, recommending you, if she had never met you personally, do you know?

Mrs. MATOUSEK. Well, I assume that she was willing to give it because I had very good recommendations from the Benes government, and she was a very ardent Czech.

The CHAIRMAN. Were you living in France in 1937?

Mrs. MATOUSEK. No, I was not living in France in 1937. I may have been there on a short vacation trip. Let me think. Yes, I believe I spent three weeks in summer of '37 on the west coast of France in Pontiac.

The CHAIRMAN. Now, we have testimony here—and of course the mere fact that we have testimony does not mean that the committee considers it true or untrue, we just take all the testimony in regard to any witness—we have testimony that in 1937 you were an organizer for the Communist party, that you worked in France. What do you have to say about that? Is that true or not?

Mrs. MATOUSEK. It is not true. I am very glad that you said that the mere testimony is not the truth. It isn't true, unequivocally.

The CHAIRMAN. Let me ask you this: Have you ever done any organizing for the Communist party?

Mrs. MATOUSEK. I have not.

The CHAIRMAN. And have you ever joined yourself?

Mrs. MATOUSEK. I have not.

The CHAIRMAN. And you are not a member now?

Mrs. MATOUSEK. No.

The CHAIRMAN. Did you ever get paid any money by any representative of Soviet Russia or the Communist party?

Mrs. MATOUSEK. No.

The CHAIRMAN. Was your former husband a Communist, if you know?

Mrs. MATOUSEK. He was not a member of the Communist party while we were married. I would say he was a sympathizer. He wasn't a member of the party. I don't believe that he was anything else but one of these neurotic persons who talk a great deal and don't do anything.

The CHAIRMAN. How about yourself, were you a sympathizer with the Communist party?

Mrs. MATOUSEK. No.

Mr. O'DONNELL. When you left Prague as an escapee, who advised you to leave Prague, do you recall?

Mrs. MATOUSEK. Well, in the first place, my own reason—you see, the fact that I was helping anti-Hitler refugees obviously could not make me popular with the German authorities, who by that time occupied Czechoslovakia.

Moreover, I am Jewish, so there was no reason for me to want to stay on.

Inasmuch as I have been helping other people to get out of the country, I have done exactly the same thing. I have—since Munich, my main part of the work for the German refugees, I would say, was obtaining for them from the Czech government, in an official capacity, interim passports and by dealing with various consulates—I would say primarily the British Consulate, French Consulate, the Norwegian Consulate—visas for these people to leave the country.

Mr. O'DONNELL. May I interrupt for a moment?

Mrs. MATOUSEK. Sure.

Mr. O'DONNELL. Did you know a chap over there by the name of Mr. Nejedly?

Mrs. MATOUSEK. No, I don't remember to have known him.

Mr. O'DONNELL. Did he at any time advise you to leave Prague?

Mrs. MATOUSEK. Most definitely not. I didn't know him.

Mr. O'DONNELL. Do you know who the present foreign minister of education is in Prague?

Mrs. MATOUSEK. Oh, you mean Mr. Nejedly?

Mr. O'DONNELL. That is correct.

Mrs. MATOUSEK. Oh, sorry, yes, that Mr. Nejedly. I have met Mr. Nejedly, I would say, oh, two or three times perhaps in my life, but he certainly did not advise me to leave Prague.

Mr. O'DONNELL. He did not advise you to leave Prague?

Mrs. MATOUSEK. That's right.

Mr. O'DONNELL. We have evidence from a witness who says that you told the witness that he advised you to leave Prague.

Mrs. MATOUSEK. That may be the other way around, sir. Mr. Nejedly, at that time I believe was professor at the University of Prague, knew that I was helping people to leave the country, it was he who called me up and asked me if I could help him get out of the country.

Mr. O'DONNELL. Did you help him get out?

Mrs. MATOUSEK. No, I did not. I said, "I am very sorry, but my mandate is to help the people who are taken care of by the committee, and I cannot do anything for any other people."

Mr. O'DONNELL. What is his first name?

Mrs. MATOUSEK. Sdenek.

Mr. COHN. What does he do now?

Mrs. MATOUSEK. I believe that he is part of the Communist government in—he is the present foreign minister of education in Prague—minister of education, probably, rather than foreign minister.

Mr. O'DONNELL. He is the minister of education?

Mrs. MATOUSEK. Yes, I believe so. So that it was the other way around, sir.

Mr. O'DONNELL. Did you ever tell anyone that he suggested that you should leave Prague at that time?

Mrs. MATOUSEK. I very much doubt it, because it isn't so. It was the other way around. I may have said to someone that he asked me to help him get out of the country.

Mr. O'DONNELL. Were you very friendly with him?

Mrs. MATOUSEK. No, I met him about two or three times in my life.

Mr. O'DONNELL. Did you know he was a Communist?

Mrs. MATOUSEK. Oh, yes, I did.

Mr. O'DONNELL. Have you had any contact with him?

Mrs. MATOUSEK. No.

Mr. O'DONNELL. While you were with UNRRA, wasn't there a group in UNRRA who were locating deserters from the Russian army and having them returned to Russia?

Mrs. MATOUSEK. Not to my knowledge.

Mr. O'DONNELL. Did you ever contact a Russian deserter and through indirection have him turned over to the OGPU?

Mrs. MATOUSEK. Me?

Mr. O'DONNELL. You?

Mrs. MATOUSEK. No.

Mr. O'DONNELL. Do you know of anyone who did?

Mrs. MATOUSEK. No, I don't.

Mr. O'DONNELL. Do you know if that was a common practice at UNRRA in Germany, to invite these deserters from the Russian army in under pretexts and then have them turned over to the OGPU, or to an OGPU agent?

Mrs. MATOUSEK. I have never heard of that practice.

Mr. O'DONNELL. You never heard of it?

Mrs. MATOUSEK. No.

Mr. O'DONNELL. You never participated in any activity such as that?

Mrs. MATOUSEK. Certainly not.

Mr. O'DONNELL. Did you ever visit Moscow?

Mrs. MATOUSEK. I have never been to Moscow or to Soviet Russia.

Mr. O'DONNELL. Had your former husband ever visited Moscow, to your knowledge?

Mrs. MATOUSEK. Not to my knowledge, not as long as I was married to him. I don't know whether he went there afterwards.

Mr. O'DONNELL. How long were you interned after your arrest for Communist activity in Paris?

Mrs. MATOUSEK. I would like to state first that to my knowledge I was not arrested by Communist activities, but for reasons unknown to me, and I was detained for approximately two months.

Mr. O'DONNELL. Two months. Were you interned by the—

Mrs. MATOUSEK. By the Vichy police of France, yes.

The CHAIRMAN. Was this before or after France was overrun?

Mr. O'DONNELL. This was before.

Mrs. MATOUSEK. I was arrested before, about two weeks before the fall of France, and detained for about six weeks after.

Mr. O'DONNELL. Did you know Adolph Hofmeister?

Mrs. MATOUSEK. I knew Adolph Hofmeister, who was a lawyer, painter and writer. I knew him slightly socially in Prague. I met him, oh, just occasionally in Paris, where he was with the House of Kulture, and then I met him very slightly again, without any premeditation or making any appointment with him, just occasionally and by accident a very few times here in New York in, oh, I would say in '41, '42. The last time I met him was when he arrived here in New York. By that time he became Czechoslovak ambassador to Paris.

Mr. O'DONNELL. What year was that?

Mrs. MATOUSEK. That was in 1949, I believe. It might have been 1950. I am not quite sure. And I met him in the hall of the United Nations, and he recognized me and invited me for lunch, which I did have with him. It was an absolutely non-political lunch, but I was eager to hear what he had to say, and afterward I told him—when he met me the next day he looked straight through me, and never recognized me.

Mr. O'DONNELL. Was he a member of the House of Kulture group in Paris?

Mrs. MATOUSEK. Yes, he was.

Mr. O'DONNELL. What was the House of Kulture in Paris?

Mrs. MATOUSEK. I cannot tell you too much about it, sir, because I was not a member myself and didn't have any real contact with them. It was a group of painters and artists, but there were some people who didn't have anything to do with arts, I believe, who rented together a house and lived there, probably for reasons of economy. But what other activities they have adopted, I do not quite know, because, as I said, I didn't have any contact with them.

Mr. O'DONNELL. Wasn't it generally known among your group that the House of Kulture was a Communist group?

Mrs. MATOUSEK. It was.

Mr. O'DONNELL. And Adolph Hofmeister did belong to that group?

Mrs. MATOUSEK. Yes, he did.

Mr. O'DONNELL. As a matter of fact, he was arrested as a member of that group, wasn't he?

Mrs. MATOUSEK. I believe so. There was a whole group of people who were arrested at the very beginning of the war. I believe all of the members of the House of Kulture were arrested.

Mr. O'DONNELL. Was Vladimir Clementis a member of the House of Kulture?

Mrs. MATOUSEK. I know whom you are speaking of. I would not know, sir.

Mr. O'DONNELL. You would not know?

Mrs. MATOUSEK. No.

Mr. O'DONNELL. Did you know Vladimir Clementis. Did you know him?

Mrs. MATOUSEK. I met him. He came several times to see my then chief, Mr. Hubert Ripka, who was then President Benes' representative of the National Council in Paris, and Mr. Clementis came a couple of times with him. That is how I met him. But then shortly afterwards I believe Mr. Clementis was arrested, too, and that was in the fall of '39, and I didn't have any contact with him since.

Mr. O'DONNELL. Was he arrested as a member of the House of Kulture group, too?

Mrs. MATOUSEK. I wouldn't know, sir.

Mr. O'DONNELL. But you know he was arrested?

Mrs. MATOUSEK. Yes.

Mr. O'DONNELL. By the French police?

Mrs. MATOUSEK. Yes.

Mr. O'DONNELL. Do you know if he was arrested for Communist activity?

Mrs. MATOUSEK. Oh, I would assume so, but I do not know.

Mr. O'DONNELL. Did you know a Joseph Pelz?

Mrs. MATOUSEK. I have known an Antonin Pelz.

Mr. O'DONNELL. Who was Antonin Pelz?

Mrs. MATOUSEK. Antonin Pelz was a cartoonist.

Mr. O'DONNELL. That is the same chap.

Mrs. MATOUSEK. Yes. His first name is Antonin. Was a cartoonist whom I have met. I haven't known him too well, but I believe he was a member of the House of Kulture, too.

Mr. O'DONNELL. Then was he arrested in that group, the House of Kulture?

Mrs. MATOUSEK. I don't quite remember, but I believe so.

Mr. O'DONNELL. Was the House of Kulture in existence when you first arrived in Paris?

Mrs. MATOUSEK. This I do not know, sir.

Mr. O'DONNELL. How many times did you visit the House of Kulture yourself?

Mrs. MATOUSEK. About twice, perhaps.

Mr. O'DONNELL. What was the reason for your visits to the House of Kulture?

Mrs. MATOUSEK. Having dinner there.

Mr. O'DONNELL. Having dinner there?

Mrs. MATOUSEK. Yes.

Mr. O'DONNELL. With whom?

Mrs. MATOUSEK. Well, with my husband.

Mr. O'DONNELL. Your husband. And would anybody else be present?

Mrs. MATOUSEK. Oh, well, they must have invited us, or we must have invited ourselves, but I do not recall who would have been present, because it was no other but social occasion.

Mr. O'DONNELL. Did your husband ever belong to the House of Kulture?

Mrs. MATOUSEK. No, he did not, as far as I know.

Mr. O'DONNELL. To what extent did your husband attempt to become affiliated with the House of Kulture?

Mrs. MATOUSEK. I believe he felt that they were in a way a competition. My husband founded in Paris a group—they called themselves, oh, Czechoslovak Artists in Paris, or some such a thing, and he was president of this group and arranged for an exhibition in Paris. He, I had an idea, rather felt that the House of Kulture was a kind of competition.

Mr. O'DONNELL. Did he make any positive effort to join the House of Kulture, as far as you know?

Mrs. MATOUSEK. He may have, but I am not aware of it. I really don't recall.

Mr. O'DONNELL. Were you ever approached to join the Communist party by anybody?

Mrs. MATOUSEK. No, I have not; not that I recall. Not in so many words, I am sure.

The CHAIRMAN. That will be all. Incidentally, the committee does not give the press the names of any witnesses who appear, so that unless you tell the newspapers that you have been here, no one will know you were here. I don't think we will want you back for anything at all, but I wish that you would consider yourself still under subpoena in case there is any additional information the staff might want.

Mrs. MATOUSEK. Certainly. I am at your disposition, Senator.

[Witness excused.]

[Whereupon, the hearing was adjourned to Thursday, September 17, 1953, at 10:00 a.m.]

SECURITY—UNITED NATIONS

[EDITOR'S NOTE.—Abraham Unger's executive session testimony was published in 1953. Vachlav Lofek did not testify in public session. David M. Freedman testified publicly on September 18, 1953.]

THURSDAY, SEPTEMBER 17, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, N.Y.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:25 p.m., in room 128, of the United States Court House, Foley Square, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Robert Jones, administrative assistant to Senator Potter; Harold Rainville, administrative assistant to Senator Dirksen; and Blaine Sloan, legal department, United Nations.

TESTIMONY OF ABRAHAM UNGER (ACCOMPANIED BY HIS COUNSEL, BERNARD JAFFE)

[Although taken in executive session, this testimony was published in 1953 in U.S. Senate, Committee on Government Operations, Hearings before the Permanent Subcommittee on Investigations, *Security—United Nations* (Washington, D.C.: Government Printing Office, 1953), pages 40–55.]

TESTIMONY OF VACHLAV LOFEK

Mr. COHN. Are you a citizen of the United States?

Mr. LOFEK. That is right.

Mr. COHN. Naturalized?

Mr. LOFEK. Yes, sir.

Mr. COHN. In what year?

Mr. LOFEK. 1937, in January.

Mr. COHN. What is your employment at the present time?

Mr. LOFEK. Employment, I work for?

Mr. COHN. Where do you work?

Mr. LOFEK. In the Czech Delegation.

Mr. COHN. You work for the Czech Delegation?

Mr. LOFEK. Yes, for the Czech Delegation.

Mr. COHN. To the United Nations?

Mr. LOFEK. To the United Nations.

Mr. COHN. Is that right?

Mr. LOFEK. Yes.

Mr. COHN. Are you a Communist?

Mr. LOFEK. No, sir, I never been.

Mr. COHN. Are you a Communist at the present time?

Mr. LOFEK. No.

Mr. COHN. You work for the Communist government?

Mr. LOFEK. Yes, I do.

Mr. COHN. Do they make a practice of employing people who are not Communists?

Mr. LOFEK. I don't know, but they never asked me to join, or anything.

Mr. COHN. Are you sympathetic to the Communist regime in Czechoslovakia?

Mr. LOFEK. No, sir.

Mr. COHN. Are you opposed to it?

Mr. LOFEK. Well, just nothing. I don't say nothing.

Mr. COHN. I don't want to know if you say nothing. Are you in favor of or opposed to the Communist regime in Czechoslovakia?

Mr. LOFEK. I don't like it the way they do. It now is there any-more.

Mr. COHN. Pardon me?

Mr. LOFEK. I don't like the way they do.

Mr. COHN. You mean in Czechoslovakia?

Mr. LOFEK. That is right.

Mr. COHN. You are opposed then?

Mr. LOFEK. That is right.

Mr. COHN. To the Communist government in Czechoslovakia?

Mr. LOFEK. That is right.

Mr. COHN. Do they know you are opposed to them up there?

Mr. LOFEK. I don't know. They never ask. No, I never tell it.

Mr. COHN. What kind of work do you do?

Mr. LOFEK. I am mostly like a messenger. I have to go all around. They need something, I have to go get it.

Mr. COHN. Do you ever carry papers back and forth?

Mr. LOFEK. Papers, like the United Nations papers. I go to the headquarters and pick them up and bring them to the office and when they assort them they tell me to mail them, you know, I send them back, you know, what they want to Czechoslovakia.

Mr. COHN. What is your salary?

Mr. LOFEK. \$200 a month.

Mr. COHN. \$200 a month. Do you have any other income?

Mr. LOFEK. No, sir. Well, I keep just a little bit from what I saved before I work for them from the bank with interest.

Mr. COHN. Have you ever carried any papers to the Communist party headquarters?

Mr. LOFEK. To the Communist party—no, I don't. You mean to the Soviet or—

Mr. COHN. No. I mean Communist party headquarters of the United States.

Mr. LOFEK. I don't know even where it is.

Mr. COHN. Have you ever carried any papers to the Communist party headquarters?

Mr. LOFEK. No, sir.

Mr. COHN. Any office of the Communist party?

Mr. LOFEK. No, sir. I never know where these office—

Mr. COHN. Did you ever deliver any to any American Communist?

Mr. LOFEK. No, no.

Mr. COHN. Who obtained your job for you at the Czech Delegation?

Mr. LOFEK. Who—people?

Mr. COHN. Yes, who got you the job there?

Mr. LOFEK. I got it myself.

Mr. COHN. How did you go about it?

Mr. LOFEK. I got it 1943, you know, they advertised, but they used to be Czech information office.

Mr. COHN. After the Communists took over—

Mr. LOFEK. Well, they kept me. You know they discharged lots of people after they closed the consulate, the Czech consulate two years ago, they discharged most of people, and they only kept me.

Mr. COHN. Were you the only one they kept?

Mr. LOFEK. That is all.

Mr. COHN. You are the only one they kept?

Mr. LOFEK. Yes.

Mr. COHN. You say they never asked you whether or not you are a Communist?

Mr. LOFEK. No. Never did, never noticed.

Mr. COHN. When I first asked you if you were in favor of the Communist regime in Czechoslovakia you were not sure whether you were in favor or opposed?

Mr. LOFEK. No, but I have never been, still never. Never did anything for them, only this what I am working for now.

Mr. COHN. Your testimony is that you have never talked with anybody up there about—

Mr. LOFEK. No, sir.

Mr. COHN [continuing]. Whether or not you favor the regime in Czechoslovakia?

Mr. LOFEK. No, sir.

Mr. COHN. Never discussed it?

Mr. LOFEK. No.

Mr. COHN. What do you object to in the regime in Czechoslovakia?

Mr. LOFEK. Well, the way they treat the people, like—

Mr. COHN. What way do they treat the people?

Mr. LOFEK. They took the property away from them, you know, that is what I think because they did it for my sister, my brother-in-law, you know.

Mr. COHN. The Communists?

Mr. LOFEK. Yes. Now, after two years ago.

The CHAIRMAN. Are your sister and brother-in-law living in Czechoslovakia?

Mr. LOFEK. Yes, but they died now. My sister died two years ago and my brother-in-law died last fall.

The CHAIRMAN. Natural deaths?

Mr. LOFEK. What is that?

The CHAIRMAN. They were not killed by the Communists? They died natural deaths?

Mr. LOFEK. Yes. My sister had a stroke.

The CHAIRMAN. Do you know whether they were members of the Communist party in Czechoslovakia?

Mr. LOFEK. No, never as far as I know. My brother was against them. Always against them. And my sister, she never know anything about politics because she was old.

The CHAIRMAN. Who recommended you for the job at the United Nations?

Mr. LOFEK. No, sir, no one, they kept me since I start to work for the information bureau, you know, the Czech information in 1943.

The CHAIRMAN. You started working for the Czech information in 1943?

Mr. LOFEK. That is right, in January.

The CHAIRMAN. That was under the free government in Czechoslovakia?

Mr. LOFEK. Yes, yes.

The CHAIRMAN. And then when the Communists took over they kept you on as an employee.

Mr. LOFEK. They kept me. First they said have to discharge me, they have no work for me, but after the—I don't know—couple of weeks later they said if I want to stay they keep me because they need somebody to go around and understand a little English because none of the others, none of them can speak English, you know.

The CHAIRMAN. You are a messenger, you take papers from one place to another, don't you?

Mr. LOFEK. Not from one place to another. I mean I have to go down to the headquarters, bring them to the office. They, couple of the guys assort them, and they tell me which the untied papers I have to wrap up and send to Czechoslovakia, you know.

The CHAIRMAN. I see.

Mr. LOFEK. But I don't carry any other papers any other place.

The CHAIRMAN. In other words, when they tell you to do it, you wrap up certain mail or papers?

Mr. LOFEK. Yes, they give me——

The CHAIRMAN. And send them to Czechoslovakia?

Mr. LOFEK. That is right, they give me, you know, what they want to send and if they have letters like that they send over to the states here for this, like United Nation delegations, so I do that, too, you know. I stamp them, and I sent them out.

The CHAIRMAN. How is the stuff sent to Czechoslovakia? By diplomatic pouch?

Mr. LOFEK. No. This papers I send them not through the diplomatic pouch. I send them through the parcel post. Printed matter, through the post office; and sometimes if they want something in a hurry, then I send it through Sabena Air Line, you know. But that is only maybe once, sometimes only once in two weeks, sometimes once a week.

The CHAIRMAN. Are you the only American citizen working for the Czech delegation?

Mr. LOFEK. There is one lady there, but she minding the switchboard.

The CHAIRMAN. What is her name?

Mr. LOFEK. Mrs. Joseph.

The CHAIRMAN. Mrs. Joseph?

Mr. LOFEK. Yes, Mrs. Joseph.

Mr. COHN. What is her first name?

Mr. LOFEK. Eva. I forgot already, because I don't pay much attention.

Mr. COHN. Where does she live?

Mr. LOFEK. I don't know where she lives.

Mr. COHN. Does she live in Manhattan, do you know?

Mr. LOFEK. Oh, yes, I guess she lives in Manhattan, but I don't know.

Mr. COHN. She is married, isn't she?

Mr. LOFEK. That is correct.

Mr. COHN. What is her husband's first name?

Mr. LOFEK. Her husband is Mr. Joseph but he used to, as far as I understand, he used to work for the UNRRA in Prague.

Mr. COHN. What is his first name, do you remember?

Mr. LOFEK. I don't know. I couldn't tell you.

Mr. COHN. Didn't you ever meet him over at the office?

Mr. LOFEK. I met him, but I never speak to him, but because he came to see his wife.

The CHAIRMAN. Haven't you ever gone to their house for dinner?

Mr. LOFEK. No.

The CHAIRMAN. You don't know them well at all?

Mr. LOFEK. No, sir.

The CHAIRMAN. Are you married?

Mr. LOFEK. I was, but I am divorced already twenty years, so far about twenty years.

The CHAIRMAN. Where is your former wife? In Czechoslovakia?

Mr. LOFEK. In New York, but I don't know where she lives.

The CHAIRMAN. When did you come to this country?

Mr. LOFEK. Where?

The CHAIRMAN. Yes, when did you come to this country.

Mr. LOFEK. In the 13th of March.

The CHAIRMAN. When were you naturalized?

Mr. LOFEK. In 1937.

The CHAIRMAN. Then you worked for UNRRA for a while?

Mr. LOFEK. No, not me.

The CHAIRMAN. You didn't?

Mr. LOFEK. No, not me.

The CHAIRMAN. Did you ever work for any other United States government agency?

Mr. LOFEK. No. Only once I worked for the post office, but in the, you know, for the Christmastime two months, like that, you know, when they were busy. I got a job in the Morgan Annex two months only.

The CHAIRMAN. Have you ever attended Communist meetings?

Mr. LOFEK. No, sir. No, sir, never. I never cared for those things. I never did.

The CHAIRMAN. Never joined the Communist party?

Mr. LOFEK. No, no, sir.

The CHAIRMAN. Anyone ever ask you to join the party?

Mr. LOFEK. No.

The CHAIRMAN. It seems rather unusual that the Communist delegation would hire an American who was against communism.

Mr. LOFEK. They don't know about that. They don't know. You see, if I tell them then I am finished with the job, you know. And

the job sufficient for me, like I am an old guy you know, and it is not hard, you know, so that is why I am trying to keep it as long as I could.

The CHAIRMAN. How old are you?

Mr. LOFEK. Sixty-one, I am going to be next month.

The CHAIRMAN. I have no further questions, Mr. Counsel.

Mr. COHN. I have no more.

The CHAIRMAN. I may say that the Czech delegation will not be notified you were called. The newspapers will not be notified unless you tell them. If you want to tell anyone you were here, that is up to you.

Mr. LOFEK. Only the boss knows about it because I told him I have to come down here.

The CHAIRMAN. I merely want you to know if anyone knows you were here is because you tell them.

Mr. LOFEK. YES.

The CHAIRMAN. Okay.

Mr. LOFEK. Yes.

Mr. COHN. Who knows about it, you say?

Mr. LOFEK. Only my boss, you know, because—I tell him I come. Mr. Nosek.

Mr. COHN. What is his name?

Mr. LOFEK. Nosek

Mr. COHN. How do you spell it?

Mr. LOFEK. I had to tell him.

Mr. COHN. How do you spell his name?

Mr. LOFEK. N-o-s-e-k.

Mr. COHN. Is he a Communist?

Mr. LOFEK. Yes, I guess he is because he is the boss from the delegation, you know, so——

The CHAIRMAN. Your testimony is that as far as you are concerned you are not interested in communism?

Mr. LOFEK. I never been and I am not.

The CHAIRMAN. Your job is merely a messenger?

Mr. LOFEK. And like a little shipping clerk, I got to pack those things and they need something, I have to do everything for them, especially they come to the delegation.

The CHAIRMAN. You never have occasion to read the mail that comes in or goes out?

Mr. LOFEK. Oh, no, because I don't get that. I get the mail, you know, the mailman gives it to me but I have to take it right up there, you know.

The CHAIRMAN. Did they ever send you as a messenger to deliver any material to Communist headquarters in New York.

Mr. LOFEK. No, sir, no, sir, they never did.

The CHAIRMAN. So that you will know, the address is 35 East 12th Street.

Mr. LOFEK. No, I never been there.

The CHAIRMAN. You never delivered any there?

Mr. LOFEK. I don't know where it is, never heard about that.

The CHAIRMAN. That is all. I don't think we will want you back but consider yourself under subpoena in case we want to call you.

Mr. LOFEK. Yes, if you want to, then I am willing, see, but the only thing is I got to tell the boss because, you know he wants to know.

The CHAIRMAN. I don't think we will want you.

Mr. LOFEK. He wants to know that I go.

The CHAIRMAN. This is off the record.

[Discussion off the record.]

The CHAIRMAN. That is all. If you are discharged, let us know. Understand, there is nothing we can do about it if you are, but let the committee know if you are fired, will you?

Mr. LOFEK. Thank you.

The CHAIRMAN. Your testimony will not be given to the Czech delegation.

Mr. LOFEK. Thank you. Good day.

[Witness excused.]

TESTIMONY OF DAVID M. FREEDMAN (ACCOMPANIED BY HIS COUNSEL, BERNARD JAFFE)

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, and nothing but the truth, so help you God?

Mr. FREEDMAN. I do.

Mr. COHN. Mr. Freedman, you are a member of the New York Bar?

Mr. FREEDMAN. I am.

Mr. COHN. Are you admitted to practice before any agency of the federal government?

Mr. FREEDMAN. Yes.

Mr. COHN. Which one?

Mr. FREEDMAN. Immigration service.

Mr. COHN. Do you know a man named Julius Reiss?

Mr. FREEDMAN. I would like to say about that, when we were here on Tuesday I was informed by my counsel that he had been told that the purpose for which we were asked to come here—

Mr. COHN. No, no. I don't think you got the question. Do you know a man named Julius Reiss?

Mr. FREEDMAN. I heard you.

Mr. COHN. We were held up so much by Mr. Unger, we would like to move along.

Mr. FREEDMAN. I heard your question, but I would like to make a preface to what I want to answer.

The CHAIRMAN. There will be no prefaces. Do you know Julius Reiss?

Mr. COHN. It is a simple question.

Mr. FREEDMAN. It is not as simple as that.

The CHAIRMAN. We will make it simple. Answer the question.

Mr. FREEDMAN. I am answering it, Senator. I am saying when I was here Tuesday I was told—

The CHAIRMAN. Do you know Julius Reiss? I don't care what happened Tuesday. Do you know him or don't you know him?

Mr. FREEDMAN. I will decline to answer the question.

Mr. COHN. On what ground?

Mr. FREEDMAN. On the ground in view of the statements made by the senator to the press which I have seen reported, it would

appear that the attempt to ask me that question is an attempt to try to besmirch me. I will not allow myself to be used in that way, and I will therefore decline to answer on the ground the answer may tend to incriminate me.

The CHAIRMAN. You are refusing on the ground it will incriminate you?

Mr. COHN. He is entitled to that.

The CHAIRMAN. Is that the ground?

Mr. FREEDMAN. I am urging that as a ground because of the fact when you were—made a representation to my attorney on Tuesday the only purpose for which we were coming here was to ask questions with relation to this man, you used that as a means for utilizing this forum with my partner, Mr. Unger, who was here before, to try and investigate and interrogate him with matters that had no concern with Reiss or anybody else, and I refuse to be entrapped in the same way.

The CHAIRMAN. I have never met you before, know nothing about you, never seen you before.

Mr. FREEDMAN. That is mutual, Senator.

The CHAIRMAN. When I say I know nothing about you, I know something about your background. You are now being asked the question whether or not you knew Mr. Reiss.

Mr. FREEDMAN. I have answered.

The CHAIRMAN. Are you refusing on the ground a truthful answer might tend to incriminate you?

Mr. FREEDMAN. I am answering on the ground that an answer to that question may tend to incriminate me.

The CHAIRMAN. You are entitled to the privilege.

Mr. COHN. Now, did Mr. Reiss work for you in connection with the defense of the twelve Communist members of the Communist party who were indicted under the Smith Act here in 1948?

Mr. FREEDMAN. For the same reason I refused to answer the previous question I will refuse to answer this one.

Mr. COHN. Now, were you in the year 1950 a member of the Professional Group of the Communist party?

Mr. FREEDMAN. I believe that question is impertinent, and it has no place in this proceeding. It is no function of this committee to inquire about such things, if such a thing existed, and I certainly resent being asked the question. I think it violates my rights under the Constitution, under the First Amendment and under the Ninth and Tenth Amendments and it certainly is—

The CHAIRMAN. What is the Ninth Amendment that is violated by—and the Tenth?

This is off the record.

[Discussion off the record.]

Mr. FREEDMAN. I will therefore not answer the question.

Mr. COHN. Would you examine this for a moment, please, Mr. Freedman?

The CHAIRMAN. What is the right under the Ninth and Tenth Amendments you think are violated by that question?

Mr. FREEDMAN. The right is all powers not given to the federal government are reserved in the people in this country, and one of the powers not delegated to the federal government was the power

to inquire into the political affiliations and beliefs and aspirations of the people.

The CHAIRMAN. You are refusing to answer under your rights in the First, Ninth and Tenth Amendments; is that right?

Mr. FREEDMAN. I am right now.

The CHAIRMAN. You will be ordered to answer, then.

Mr. FREEDMAN. I will refuse to answer under the ground any answer may tend to incriminate me.

The CHAIRMAN. You are refusing—I don't guess there is any further use questioning him. He has used the Fifth Amendment. He is entitled to do it.

Mr. COHN. I want to ask you one or two very short questions.

The CHAIRMAN. Okay.

Mr. COHN. Can you identify that record here which we directed to be produced? Sir?

Mr. FREEDMAN. I decline to identify it under the ground this is simply a repetition of the question you previously asked me in another form which I have declined to answer on the ground it may tend to incriminate me.

The CHAIRMAN. On the ground it may tend to incriminate you?

Mr. FREEDMAN. That is right.

Mr. COHN. For the record we will indicate that is the exhibit produced by Mr. Unger in response to the request to the committee.

I don't know if I asked you this or not. Are you a member of the Communist party today?

Mr. FREEDMAN. You did not ask me that.

Mr. COHN. Consider it asked now.

Mr. FREEDMAN. My answer to that is the same as my answer to the previous question. I decline to answer the question because you have no right to ask me. I think it is impertinent to do so, and on the further ground I will not answer on the ground it will tend to incriminate me.

The CHAIRMAN. Do you think it is a crime to be a member of the Communist party?

Mr. FREEDMAN. I will not answer that question either, Senator, for the same reasons.

The CHAIRMAN. On the ground that the answer might tend to incriminate you. Is that the ground?

Mr. FREEDMAN. That is the ground.

The CHAIRMAN. You are entitled to refuse.

You will be ordered to be here at 10:30 in the morning. 10:30 in room 110. I think I will make it ten o'clock in the morning in room 110.

Ten o'clock. Incidentally, ten o'clock does not mean someone will phone you and bring you over.

Mr. FREEDMAN. I am sorry if you were inconvenienced any this afternoon.

The CHAIRMAN. I am telling you about tomorrow, not today.

Mr. FREEDMAN. All right.

The CHAIRMAN. Be here about ten. I think I will make it 10:15 in the morning.

Mr. JAFFE. Aren't the hearings going to be held next week, or some other time? It will be impossible for me to make it. It really is. I mean, I don't like to request anything like this, but I had no

notion that, you know, my coming here with these attorneys would involve this much time.

The CHAIRMAN. Mr. Jaffe, it is your own clients that make it difficult, not Mr. Freedman, he has taken very little time, but your own client took up almost over two hours of the committee's time, and when we have a witness who goes out of the way to make trouble for the committee to accomplish its purpose to get the information it wants and needs to perform our function, I just don't like to call the entire staff back here if it costs a lot of money to come back here. We have the staff of Senator Dirksen and Senator Potter. Have their investigators.

Mr. JAFFE. I thought you were sitting here next week, in any event, Senator.

The CHAIRMAN. Not that I know of now.

Mr. JAFFE. If you were, I would really appreciate putting this over.

The CHAIRMAN. As far as I know, we are not going to. We need your man in the morning for the hearing.

Mr. JAFFE. Okay.

[Whereupon, at 4:15 p.m., the committee was adjourned.]

COMMUNIST INFILTRATION IN THE ARMY

[EDITOR'S NOTE.—Igor Bogolepov and Vladimir Petrov (1916–1999) both testified at a public hearing on September 28, 1953. Additional testimony given in executive session on September 21 by Gen. Richard C. Partridge and Samuel McKee was published by the subcommittee in Committee on Government Operations, Hearings before the Permanent Subcommittee on Investigations, *Communist Infiltration of the Army* (Washington, DC: Government Printing Office, 1954), pages 85–105.]

MONDAY, SEPTEMBER 21, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 10:30 a.m., in room 155, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; and David Surine, assistant counsel.

Present also from the Department of Army: Hon. Robert T. Stevens, secretary of the army; Gen. Richard C. Partridge, G-2; Brig. Gen. C. C. Fenn; and Joseph W. Bishop, acting department counselor.

TESTIMONY OF IGOR BOGOLEPOV

The CHAIRMAN. Would you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOGOLEPOV. I do.

Mr. COHN. Could we get your full name for the record?

Mr. BOGOLEPOV. My first name is Igor. My last name is Bogolepov.

The CHAIRMAN. May I admonish everyone in the room that no information is to be given out of Mr. Bogolepov's testimony today. I may say, Secretary Stevens, that he objected very strenuously to giving this testimony. Mr. Bogolepov is working for the government himself. He didn't want to testify. He came here because the committee wanted him to come.

Is that right?

Mr. BOGOLEPOV. That is right.

Mr. COHN. Mr. Bogolepov, could you give us a little background? Where were you born?

Mr. BOGOLEPOV. Born in Siberia in 1904.

Mr. COHN. Did there ever come a time when you went into the Soviet Foreign Service?

1900

Mr. BOGOLEPOV. Yes, I was employed there from 1923 to 1942. I was first an officer awhile in the legal department; then I went to the Red Army; then came back to the foreign office in the League of Nations desk; then I participated in the Civil War in Spain as interpreter between the Soviet generals and the Republican general staff. I was arrested in Spain by the secret police and shipped back to the Soviet Union for trial. Then I was released in 1938 and restored in the Foreign Service Office in the Soviet Union.

I have participated in many international talks which took place between the Soviet Union and Western nations, including the Soviet-Nazi Pact and President Roosevelt's emissary, Harry Hopkins, in the summer of 1941.

During the war I was in the Baltic countries and on the Leningrad Front and come over to the German lines. I deserted from the Soviet army being in rank of colonel of general staff. I tried for sometime to convince the Germans to take less stupid political line towards the Russian people and Russian soldiers. Because of my stubbornness and perhaps too hot a defense of the Russian national interests as opposed to Communists and Nazis they put me in Gestapo jail for a while to cool me down.

After release I went to a German farm in Bavaria and was there until the American army came in 1945.

Under American occupation I was obliged first to hide myself, for a couple of years, due to the western policies of extradition to the Soviet police of all Russian people, especially like me who were on the Soviet wanted persons list.

In 1947 I came out and explained to the U.S. Army intelligence officers in Germany who I was actually and my political standpoint and I started my work in the United States Army.

First I worked as instructor in the European Command Intelligence School in Oberammergau and next year I was transferred to the General Staff School in Regensburg, Germany, as an instructor on the matters of the Soviet policies, party organization and similar matters. In 1952 I was brought by the army to this country to testify before the Senate Internal Security Committee against Owen Lattimore.

After my testimony I was dismissed from the army, unfortunately, and I am living now in this country waiting for my bill to be decided.

The CHAIRMAN. A bill introduced by Senator Karl Mundt granting Mr. Bogolepov full citizenship.

Mr. BOGOLEPOV. I had forgotten to mention that at the end of the thirties I was able to join the Communist party of the Soviet Union. I did it, as many other Russian anti-Communists do, in order to get in a higher position and to influence in that way the overthrow of the Communist regime in my country. That is all.

Mr. COHN. Were you dismissed from service with the army after you testified before the McCarran committee?

Mr. BOGOLEPOV. I think in connection with this. If you need more information about it, when I came here the assistant chief of G-2, General Bolling was much eager to get me for his service. He introduced me in the Pentagon to another general and they discussed my further employment as a lecturer in various U.S. mili-

tary colleges. Two days after the talks were stopped and I got my discharge papers from the army.

The CHAIRMAN. What are you working at now?

Mr. BOGOLEPOV. I am not very much happy with work, for evidently my reputation of a radical Russian anti-Communist is speaking against me. Neither State Department or Pentagon wanted to have anything with me. I am working merely on an informal basis. I have here some former students of mine. I examine for them various aspects of psychological warfare; also I am writing for newspapers from time to time, etc., etc.

The CHAIRMAN. In the statement I made in the record originally, I understood you objected to testifying because you are now working for the army. I gather you don't; that you lost your job.

Mr. BOGOLEPOV. That is right.

The CHAIRMAN. Mr. Secretary, may I ask if you could check that. Secretary STEVENS. You bet your life.

The CHAIRMAN. We would not like Mr. Bogolepov's name used publicly.

Mr. Bogolepov, the secretary of the army will check into your discharge after you testified before the McCarran committee. It seems on the face to be completely unreasonable that you worked for the army until you were subpoenaed before a United States Senate committee and then were promptly fired. The secretary will check into that.

Mr. Bogolepov, you were working in the Foreign Office, Moscow, and a book entitled *A History of Russia*, War Department Educational Manual EM 248 was being written. Is that correct?

Mr. BOGOLEPOV. That is correct.

The CHAIRMAN. This book was written by a man in London?

Mr. BOGOLEPOV. Right.

The CHAIRMAN. From the information we have, Mr. Secretary, this has been used as an indoctrination course in the army. Also I may say one of the sources for the document which we discussed the other day. They used this as source material.

Mr. Bogolepov, while you were in the Russian Foreign Office did you see any correspondence either with the man who was writing this book in London or with the Russian embassy in London giving instructions as to how propaganda was handled?

Mr. BOGOLEPOV. I have to explain first that starting with the middle of the thirties, big operation was set for by the Soviet government in order to infiltrate into the Western administrations the idea favorable to the Soviet government.

In that connection they used Soviet embassies, the Komintera channels and emissaries sent from Moscow to various foreign countries. Contacts were established with prominent Western lawyers, scholars and especially with the people known here under the name of Russian experts.

The idea was that in order to get Western politicians to be confused and influenced—presidents, ministers of foreign affairs, etc., one has to confuse and to influence their advisors. The Russian experts in the west—I saw myself in the secret files of the Soviet foreign office this directive of the Foreign Commissar Molotov—must be “won on our side.” Molotov said to the Soviet ambassador in London, Maisky, in 1939, that he has to redouble his efforts in the

matter of mobilization of the people who work on Russian matters in England to get them "work for us." They were supposed merely to supply false suggestions on Soviet policies to the Western governments and public opinion rather than to serve as a source of information. Especially insistent was Moletov to influence members of the British government in 1939 in the sense which will help the aims of the Soviet foreign policies.

In one of the letters Ambassador Maisky sent back to Moscow to the foreign office, it was mentioned that a noted British scholar, Sir Bernard Pares, make appearances in the Soviet embassy and ask the Soviet embassy's help in writing chapter of his history on Russia dealing with Soviet matters. I remember that report of Maisky was mentioned that the man asked embassy to give information about Soviet history because he felt himself incompetent and needed some assistance.

The CHAIRMAN. Mr. Bogolepov, just to have the record straight, this book was originally written in 1926, apparently revised in 1928 and a final revision in 1937. Now, was it during the 1937 revision that this London Communist got instructions from the Soviet embassy?

Mr. BOGOLEPOV. Yes, that was in the end of the thirties. I do not remember the exact date—1936 or 1937.

The CHAIRMAN. He did not do the original writing but the final revision?

Mr. BOGOLEPOV. Right, if one will judge by correspondence I saw.

The CHAIRMAN. I may say, Mr. Secretary, that we have checked and find that this was in use by the army up through 1952.

Secretary STEVENS. What is that?

The CHAIRMAN. *History of Russia*.

It was released by the armed forces as a War Department educational book. I might say also that it was source material for the document entitled "Psychological and Cultural Traits of Soviet Siberia." I think I should emphasize for the record that none of it had its origin under the present regime. It was all brought in, long before Secretary Stevens took over and long before President Eisenhower took over as president. I assume it may still be in use because of the time lag in getting rid of it. That is why I think our committee might be of some benefit by giving you a picture of the unusual material that has been used.

Mr. BOGOLEPOV. Inasmuch as Mr. Secretary is present here, I think it would be of interest to know that some of my students, high officers of the intelligence division, were protesting against use of this book in the Regensburg school and other U.S. Army installations in Germany. I don't know whether they succeeded or not but I do know that when I protested myself against this and other literature and I got in serious trouble and here I have with me copy of the order from the intelligence school, Oberammergau, to tell you what kind of mess I got in because of my protestation.

The CHAIRMAN. In other words, when you objected to the use of Communist propaganda to indoctrinate our troops you were removed from your job?

Mr. BOGOLEPOV. That is right. One of the reasons, they said I was a chronic complainer, signed by J. E. Raymond, Colonel, U. S.

Infantry. In a way I certainly was. I was complaining about communism for thirty years.

The CHAIRMAN. They didn't like you being a chronic complainer about Communist literature.

Mr. BOGOLEPOV. That is right.

The CHAIRMAN. I can understand why you objected so strenuously to coming here to testify.

When you came to the United States you then worked for army intelligence for a while?

Mr. BOGOLEPOV. That is correct. I still was employed by the army one month after arrival to this country.

The CHAIRMAN. And you were furnishing the army all the material you could about Soviet Russia and their potential war plans, strength, etc.

Mr. BOGOLEPOV. That is right.

The CHAIRMAN. When you were discharged after you testified before the McCarran committee were you given any reason for the discharge?

Mr. BOGOLEPOV. No. I just got my papers. That is all. When I asked Colonel Brown, the adjutant to General Bolling, what is the result of General Bolling's intention to employ me with army in the United States, I got answer by telephone this issue wasn't raised anymore.

The CHAIRMAN. How long after you testified before the McCarran committee were you discharged?

Mr. BOGOLEPOV. Immediately after I was released from the subpoena of the United States Senate.

The CHAIRMAN. Getting back to this book, do I understand your testimony to be that parts of the book, I think you referred to the last chapter specifically, were written under the direction of the Russian Foreign Office and instructions having been submitted through the Russian embassy in London? Is that correct?

Mr. BOGOLEPOV. That is correct. Through the Soviet embassy in London.

The CHAIRMAN. Have you had an opportunity to read this book yourself?

Mr. BOGOLEPOV. Yes, certainly I had.

The CHAIRMAN. Would you consider this Communist propaganda?

Mr. BOGOLEPOV. I consider it worse than Communist propaganda. I was in the army myself, and no worse thing happens to an officer when intelligence gives him misinformation and gives false description and evaluation about enemy. Then the battle would be certainly lost. This book you have in your hand, together with a lot of other information on the USSR used by the army in Europe, is evidently calculated misinformation. That is my sincere belief and impression.

The CHAIRMAN. So you consider this much more serious than propaganda. You consider it important from the standpoint of giving our officers information about the enemy which is completely false, which would mislead them and which would result in losing battles and wars if they relied on this type of information.

Mr. BOGOLEPOV. That is right, sir.

The CHAIRMAN. I may say, from a different source we will have sworn testimony that the author of this book was a member of the Communist party under Communist discipline.

Obviously, you know for a fact that he was taking instructions but you are not in a position to know whether he is a Communist or not. That information will be supplied by another witness.

Mr. SURINE. Could you furnish the details about the Bernard Pares situation? You were in the process of testifying about observing correspondence in the Soviet Foreign Office in Moscow concerning Bernard Pares' contact with the embassy in London. Could you finish that?

Mr. BOGOLEPOV. That is more or less all. I don't remember the details.

Mr. SURINE. One of the other books which is used in the bibliography of this report, "Psychological and Cultural Traits of Soviet Siberia" is a book called *U.S.S.R., a Concise Handbook* edited by Ernest J. Simmons. I hand you this book and you will see—

Mr. BOGOLEPOV. I know this book pretty well in six years with the United States Army.

Mr. SURINE. In the time you were in the army you worked on the book itself, observed the book being used by the army. Could you furnish the information you know about the various source material you know in this book?

Mr. BOGOLEPOV. I remember this book by heart. I testified before the Senate McCarran committee that one of the authors of the book, a professor at Columbia, John Hazard, spent time in Moscow in so-called Moscow Institute of Soviet Law, which head was in those days no other person than Vishinsky himself, and Professor Hazard got a very good education in the Soviet law and in time of his being there was graduated from this Soviet Institute of Law with high praise and it is my opinion after reading his article and this book that this praise was not given in vain, he really deserved it. Professor Hazard in his many writings, in this book as well as in other publications, is carrying out the idea that the Soviet legal institutions are more or less like American institutions. It does not help much when he writes that Americans have a different way, still his method of comparing Soviet institutions with the American government administration and judiciary implies the false idea that the things under communism aren't that bad.

The CHAIRMAN. I think the record should show that this is work edited by Ernest Joseph Simmons, paragraphs were written by different individuals, one by Corliss Lamont, who has been identified as a long-time apologist for communism; one by Harriet Moore, a rather notorious Communist who invoked the Fifth Amendment in regard to espionage and communism; another chapter written by Fredrick Schuman, who has been identified not as a Communist but as a sympathizer.

Mr. Bogolepov, just to have the record clear, this book which we are now talking about, *U.S.S.R., a Concise Handbook* by Ernest J. Simmons, was used to indoctrinate our military while you were working for the military?

Mr. BOGOLEPOV. Right.

The CHAIRMAN. And I understand you objected to the use of this book at that time?

Mr. BOGOLEPOV. I did.

By the way, Senator, I met Simmons in Moscow. He visited Soviet Union many times. If my recollections are correct, I talked to him in Moscow in the Office of the Press Division of Foreign Office and I was one of those who were obliged to give him some indoctrination on how to carry out pro-Soviet propaganda in this country. He was a very friendly, very polite person. When I came to the West and disclosed that actually I was an anti-Communist, he didn't want to have contact with me anymore.

The CHAIRMAN. Were you convinced that Simmons was loyal to the Communist cause?

Mr. BOGOLEPOV. Well, Senator, my English is not very broad. I don't know perhaps the actual significance of the word loyal. If a man comes to the Communist Foreign Office and gets advice on how to carry out pro-Soviet propaganda in this country, to me that means he is loyal, but I may be wrong. It was my impression at least.

Mr. SURINE. You have finished your comments on the U.S.S.R. handbook?

Mr. BOGOLEPOV. That is right.

Mr. SURINE. You have had an opportunity to analyze the report which is at issue in this hearing, haven't you?

I might point out for the record that Mr. Bogolepov did not have an opportunity to look at this report until just a couple of days ago.

Would you care to analyze that report on the basis of your study?

Mr. BOGOLEPOV. Right, but may I just make an observation concerning this business with pro-Communist books in the army. I wish to emphasize once more that I met a great deal of army officers, intelligence officers, who were also as much upset as I was. Some protested. For example, the former chief of Regensburg Military School, Colonel Martin, was one who was protesting against, to my knowledge, against the use of all these books I mentioned here, especially with the special service of the U.S. Army of occupation in Germany.

I wish to make it completely clear when I am talking about such sad matters in American army, that it does not mean I accuse army as a whole. I have only to praise the intellectual and moral level of the American officers and soldiers as very high. They resented much all this Communist propaganda stuff in the army installations.

The CHAIRMAN. Your testimony is that a sizeable number of the officers felt as strongly about this Communist type of literature as you do?

Mr. BOGOLEPOV. That is right. They protested.

The CHAIRMAN. But you feel the army as a whole has a high moral standard, anti-Communist, and that their protestations were of no avail under the past administration?

Mr. BOGOLEPOV. That is exactly what I mean, sir.

Mr. SURINE. Proceed on this report.

Mr. BOGOLEPOV. Well, how much time do I have? To talk about this report and say everything which is really must be said, requires too much of time.

The CHAIRMAN. As much time as you need.

Mr. BOGOLEPOV. I will try to do it in twenty or twenty-five minutes if such would be your wish.

There are two different methods of pro-Communist propaganda in the Western world. One is direct and overt when people simply praise all elements of the Communist regime in the Soviet Union. That was possible before the war and up to 1948. Now the Communist sympathizers were obliged to change tactics. They can't praise the Soviet regime openly. They have to use a subversive tactic since in general they come over to subversive activities. The document on Siberia reflects both of these methods of pro-Communist influence. First of all, I will give you some examples of open praise of the Communist regime and ideology.

In many instances the works of Stalin and Lenin and other pro-Communist propagandists are used with just slightly changing of the exact wording. For example, on page one of the Siberian document at the very beginning it is stated: "Harsh Soviet government has liquidated or expelled potentially rebellious elements."

In this book in Russia, Stalin's *Problems of Leninism*, page 510, we may read:

Class of land-lords was liquidated during civil war. Other exploiters shared the fate of the land-lords. All exploiters became liquidated.

In other words, there is no more Communist opposition in Russia, which is purely Communist propaganda, which is not correct. The aim of this document is to make the army believe that there is no cracks in the Kremlin walls; that there is only one way to fight against communism; to carry out a total war against all peoples behind the Iron Curtain.

On pages four and five, there is a long story about how life is wonderful under the Communist regime.

The toiler was elevated to the highest level of respectability. The laborer is hero now in the Soviet Union. . . . The farmers status has also risen sharply. . . . Women are virtually on a par with men in all walks of life. Women have the right to be employed . . ." etc.

Exactly the same statement might be found again in the book of Stalin's on page 518, when Stalin speaks that:

The working class of the Soviet Union who has liquidated private property and capitalistic exploitations is now the leading class of Soviet Society. . . . Our Soviet peasantry also changed completely, became a new peasantry. It is a peasantry liberated from the bondage. . . . And our working intelligentsia is also a new intelligentsia, second to none in the world.

In other words, the analyst of Siberia repeats word for word the statements of Stalin.

Mr. SURINE. In connection with the theme of people being solidly behind the Communist regime, did you have or hear any personal conversation by Molotov himself along that line?

Mr. BOGOLEPOV. Along which line?

Mr. SURINE. That is must be prevented at all costs—that the Western world know of the real conditions behind the Iron Curtain?

Mr. BOGOLEPOV. Yes, that was the prime objective the activities of the foreign office.

Mr. SURINE. Would you repeat the conversation?

Mr. BOGOLEPOV. Well, there wasn't one conversation. That was the main line of instructions which Molotov always gave to us, em-

ployees of the Soviet Foreign Office and to the members of the Soviet embassies abroad, that we would have to do our best in order to implant in the Western world the idea the Soviet people would back the Soviet system; that there were no enemies inside the Soviet Union; that in case of war against the capitalist world, the whole country would have to fight, the whole people will raise as one man against the capitalist enemy. I couldn't refer to any particular talking. That was the main theme all talks they have in Moscow and in the Soviet Embassies and agencies abroad.

On page ten, for example, you might find extremely revolving statement to the effect that in Communist countries where there is no freedoms, still one freedom is maintained, that is freedom of self-improvement within occupation.

This statement, again, is taken from this book of Stalin's when it is said:

Under Soviet regime people works for themselves, not for the enrichment of exploiters. . . . Our working man feels himself as a free man. And if he works well, he is a hero of labor, he is covered with glory.

That is from page five hundred, *Problems of Leninism* of Stalin's, which evidently served as a basis for statements in this document.

On page thirty-seven, it is stated:

Soviet elections generate great interest and enthusiasm. The average Soviet citizen, whatever his nationality, is apt to feel that he has full and equal citizenship in the U.S.S.R. and shares much of the patriotic pride which is so marked in the Great Russian segment.

Here I have another book which is considered as a Communist "Bible," the *Short Course of the Communist Party*, which you might find on the desk of every member of the Communist party in the Soviet Union as well as abroad. On page 336 you may find the statement:

The elections were carried out in the atmosphere of great enthusiasm. Those were more than elections. Those were feated as a great holiday, as a triumph of the Soviet people. Ninety millions confirmed the triumph of socialism in the U.S.S.R. with their votes.

Almost exact wording of Siberian document!

The CHAIRMAN. Who is the author of that book?

Mr. BOGOLEPOV. That is the official history made by the Central Committee of the Communist party in the Soviet Union. That is the highest authority in the Soviet Union.

The CHAIRMAN. And Stalin personally is the author of some of the chapters?

Mr. BOGOLEPOV. That is right. That is, as I said, the Communist Bible in a way.

On page forty-nine of the U.S. Army intelligence report we read:

National leaders are vitally respected and admired. Stalin and Molotov are regarded as great men.

I didn't give you any reference to Soviet propaganda because this statement you might find on every page of this and other Communist books.

On pages forty-seven and forty-eight, just a very last observation, we may find one of the new clever, indirect methods of the fellow travelers and Russian experts in this country in their work of distorting the truth about Soviet realities and confusing the American

mind. It is an effort to identify Russian people with present regime, the same method you might find in all Communist publications. American self-styled experts say there was never any freedom in Russia and there is no freedom today, so you haven't to worry about Russia, and the one way to deal with the mess is the Atomic bomb. While using this method of putting all Russian Communists, as well as non-Communists, on the same level, the author or authors of the Siberian document go as far as to repeat word for word basic untruths of the Red propaganda.

For example, on page nine we may read: "Russia, long known as prison of peoples." I open the story of the Communist party on page six and I read: "Czarist Russia, known as prison of peoples."

So it is a complete quotation from the Soviet book of historical lies and this is just one example of how authors of this document simply rewrote most appealing statements of Communist leaders for influencing American officers, without criticism or reservation made whatever.

On page forty-seven it is said:

Extreme caution is required in accepting hearsay data. The opinion of 2,000,000 White Russian refugees and small numbers of deserters and escapees cannot be taken as representative of the 200,000,000 who remain in the USSR. Foreign travelers also tend to distort what they see in terms of their own background, and are readily misled by the typically human tendency of the Russian to display deference to his correspondent's viewpoint, particularly if the acquaintance is casual. The ardent foreign Communist visiting the U.S.S.R. will attract his own kind, and receives few negative impressions from those he talks to. Similarly, Russians wishing to vent grievances will seek out the American or British official, and casual acquaintances will seem to agree with his opinions. Moreover, the outsider is likely to impute his own reactions to the Soviet people, forgetting that a situation intolerable to an American may be acceptable as familiar routine to a Soviet citizen.

The idea is very familiar to me. When people of my type came to Western world with the idea of explaining how dangerous communism is exactly in the Western world, to make it obvious that as long as communism exists in Western world, the dangers of the Soviet Union will grow on, we immediately ran into opposition of so-called Russian experts who have position inside administration, publishing houses, newspapers, etc. Take the books you have before you; take almost any other western left-wingers writing on Russia and Soviet affairs. You'll have almost always a hint as to non-reliability of Russian anti-Communist refugees. Top British expert, Isaac Deutscher, American fellow travelers, Fredrick Schuman, Harvard people, they all are much insistent: Don't believe Russian eyewitnesses. They are emotional and embittered. They don't tell the truth. They are warmongers, Fascists, Communist, everything. Believe only us Western experts on Russian affairs.

Mr. SURINE. Mr. Bogolepov, isn't the effect of it that officers reading the Siberian document should disregard everything Russian defectors may say, and believe this document allegedly putting out the real facts?

Mr. BOGOLEPOV. In a way, yes. Intelligence officers who more than often meet refugees from behind the Iron Curtain are evidently the main target of the effort to deprive them of the use of information provided by anti-Communist sources.

Mr. SURINE. You have reviewed the entire document, especially the last four or five pages?

Mr. BOGOLEPOV. Yes.

Mr. SURINE. Have you found in the document any statements retracting the previous seventy pages or any facts in it?

[Off-record discussion.]

Mr. BOGOLEPOV. Yes, I paid special attention to this moment and as I told you in the beginning of my testimony, we have before us a new method of fellow-travellers and false experts on Russian affairs. They can't praise openly our common enemy.

They have to put it, as we Russian say, a spoon of tar into the barrel of honey, I would say, to use a protective cover. If somebody will say it is a pro-Communist report, they will quote some sentences that sound objective: Say Soviet worker is unhappy; there is no freedom in the Soviet Union; that there certainly should be discontent, etc., etc. But isn't all that in itself very confusing? It is to contradict all of what was said before. It looks as a way of getting alibi for the authors of this document. They say bad things do exist in the Soviet Union but what matters is the whole impression American intelligence officers may have after reading the document.

Coming to the end of my testimony about this document, for I promised to be short, I would say that the picture of the Soviet Union, of the Communist administration, of relations between the Russian people and their Red oppressors, and psychology of the Soviet soldier is strongly biased. For example, there is a true statement that the average Russian is not an American hater, has a very high respect towards Americans, and as a Russian who lived most of his life in the Soviet Union, I am happy to testify here that we really don't hate any foreign nation, whereas we have especially high esteem of the American people, and after my living in this country I can understand why. I found that—I hope you won't get angry—there are much similarity between Russians and Americans, in human character. I found Americans very frank, very friendly to other men and nations, exactly as an average Russian is.

All is not bad in the paper under our examination, indeed. There is a very important statement in this document to the effect that it would be a mistake to over-emphasize the problem of national minority in the Soviet Union, and it is rightly suggested that in case of war American army should not place much emphasis on national minorities to try to use them against the Russian majority. Nothing good would come out of this. I agree on that point with the authors of the Siberian paper.

Besides these very few positive moments, I would say, after reading this document, the impression of an American would be full of confusion. He would know about the Soviet Union even less than he did before because his brains would be completely put out of balance, due to contradictions in documents.

The second impression a reader of the document should get, in my opinion, that the life in the Soviet Union is not so bad; that the Russians are accustomed to this life, take life as it is and, therefore, in case of war, as I guess I mentioned already, there is no opportunity for American intelligence or psychological warfare to live a wedge between regime and Russian people and profit by dividing of enemy camp. This is a most dangerous thought. It may cost much to all of us.

The CHAIRMAN. I have an appointment at a quarter of 12:00. I would like to have you back here this afternoon.

[Off-record discussion.]

Mr. BOGOLEPOV. May I make one observation. In my opinion, it seems to me that even if this document has been declassified it would not be wise to disclose in public hearings the full text of this document. If the Soviet intelligence would be informed about the contents of this type of intelligence documents in American army, it would be very valuable information for our enemy.

The CHAIRMAN. In other words, you feel that if the Soviet Union knew how badly misinformed our officers are, it would be a benefit to them?

Mr. BOGOLEPOV. Yes.

The CHAIRMAN. I have weighed that carefully. I think some damage can be done by that, however, I think the benefit gained by exposing the complete clear-cut propaganda of the old administration would put the new administration on its toes.

We will adjourn until two o'clock this afternoon.

AFTERNOON SESSION

The subcommittee reconvened at 2:00 p.m., room 155, Senate Office Building, with the following additional people present: Senator Charles E. Potter, Republican, Michigan; Karl Baarslag, Research Director.

Present from the Department of Army: Col. Odis McCormick, chief, Troop Information and Educational Division; Col. John L. Chamberlain, asst. chief.

TESTIMONY OF VLADIMIR PETROV

The CHAIRMAN. Will you stand and raise your right hand?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PETROV. I do.

Mr. COHN. Give us your full name, please?

Mr. PETROV. Vladimir Petrov. P-e-t-r-o-v.

Mr. COHN. And what is your occupation at the present time?

Mr. PETROV. Teaching at Yale University.

Mr. COHN. Can you tell us a little bit about your background?

Mr. PETROV. I am not a professor in the first place, instructor. I was born in Russia in 1915. I lived there until 1944. I got my college education in Moscow and Leningrad. From 1935 until 1941 I served a prison sentence in Northern Siberia. I was released shortly before the war began to turn back to Europe and Russia, a few months before the area was occupied by Germany. When the Germans began to retreat from Stalingrad, I moved westward, first to Austria, Vienna and in 1945 I was in Italy already. I stayed there for two years before I got a chance to come over to this country. I have been on the faculty of Yale University since 1947.

Mr. COHN. I believe it is correct that since that you are the author of at least one book?

Mr. PETROV. Two books.

Mr. COHN. And magazine articles that appeared in national magazines in this country, based on your experience and knowledge of the Soviet Union. Is that correct?

Mr. PETROV. That is correct.

Mr. COHN. Have you examined, Mr. Petrov, this army indoctrination report?

Mr. PETROV. I certainly did.

Mr. COHN. Could you give the committee and Secretary Stevens the benefit of your observation and analysis of this report based on your great experience concerning the Soviet Union and the very matters dealt within this report.

Mr. PETROV. I'd be glad to. First, I will give you a summary of what I think of it.

This is a paper of a scientific character that has little to do with Siberia in the first place and that, in my opinion, is a pro-Communist apology. It contains distorted information about the Soviet Union that tends to mislead and misinform the reader. If you read it, your inescapable conclusion would be that the Russians are very content with the Communist dictatorship; that Communists are admired by the population of the Soviet Union; that even millions of slave laborers in Siberian concentration camps are relatively happy. The paper is trying to prove that there is no bounds to Soviet patriotism and the Soviet soldier is so devoted to the Communist regime that the United States will find it next to impossible to win. So far as the paper is used for information of American officers, it undoubtedly would spread a defeatist attitude and a tendency to appease communism and encourage him to surrender on the battlefield in case of diversities. I can prove every statement from the text of that manuscript. If American officers believed what the papers tells them, they can't help but feel a sense of guilt fighting the happy Russian who maintains cordial relations with their Communist government and no matter what leads to war, the American officer is so indoctrinated he feels they are the target of the United States.

Needless to say that in order to prove his point, the author or authors knowingly or unknowingly, impose half-truths and outright lies. Since he used as bibliography largely so-called fellow-travelers, there is no wonder it promotes Communist propaganda lines on most points concerning the Soviet Russia. It may be that only the army need clean up army information and education from bias and misleading material, the use of which, in my opinion, is harmful to the best interests of this country.

I want to add that least of all I think that the author of this book is a Soviet agent or an undercover Communist because I had some experience in the past in this country with this kind of people and the attitude that I discovered in this paper is not a rare thing in this country I discovered. As a matter of fact, the author, quoting himself on page fifty says:

Most Americans are fortunate enough never to have knowingly had personal contact with a professed communist. In the USSR the Communist is a patriot, a civic booster, and frequently a war hero, doing his best to build up his country. In the United States the communist is at best a fool, and at worst a traitor, whose primary aim is to destroy his country. Communists in the USSR enjoy public admiration, while those in the United States are justly condemned as actual or potential felons.

This sentence, in my opinion, characterizes the whole approach of the author to the problem. He believes that communism is probably not good for the United States, but it is perfectly all right for the peoples of the Soviet Union or whatever other country it has under its control.

I can also point out that the author in another unscientific way tries to disqualify the sources that may disagree with him. On page forty-seven he says:

Extreme caution is required in accepting hearsay data. The opinion of 2,000,000 White Russian refugees and small numbers of deserters and escapees cannot be taken as representative of the 200,000,000 who remain in the USSR.

While I, myself, admit that I am one of these refugees, I think that this doesn't make me less trustful source of information. Everyone, of course, has his opinion and is entitled to his opinion. One may think that communism is a good thing. Another may think that communism is a wrong thing. I believe that is a wrong thing but it doesn't diminish any knowledge of the Soviet Union so far as facts go. When we discuss that or this event is good or bad, it is matter of opinion but when we come to the facts, I believe that after spending thirty years in Russia, reading more books about Russian than any of the so-called experts, that were listed in the bibliography in this manuscript, I can at least claim to be a reliable source of information.

Do you want me to go into any details of my findings because I have marked out a number of quotations here.

The CHAIRMAN. I think perhaps not at this time. I just read over your analysis of some of the comments you made on this. I may say that I disagree with the author when he says disregard anyone who was there, we should only listen to the Corliss Lamonts and those others. I'd much rather listen to a man like yourself who knows the people in Siberia, knows the people of Siberia. I may say I want to thank you very much for coming down here today and making this study. What I'd like very much to do if it does not impose on your time, I would like to have you continue your analysis of not only this particular document under consideration but several of the other books used to indoctrinate our military.

Mr. PETROV. It is a rather ungrateful task, very dull reading and it makes me mad.

The CHAIRMAN. I would like to have you come back Monday, if you could, for open session.

[Off-record discussion.]

COMMUNIST INFILTRATION IN THE ARMY

[EDITOR'S NOTE.—Louis Budenz (1891–1972) and Harriet Moore Gelfan testified at the public hearing on September 28, 1953. The executive session testimony of Corliss Lamont (1902–1995) was published in 1953.]

WEDNESDAY, SEPTEMBER 23, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, N.Y.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:30 p.m., in room 128, United States Court House, Foley Square, New York, N.Y., Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director.

The CHAIRMAN. Show the witness is reminded he has been sworn previously.

TESTIMONY OF LOUIS FRANCIS BUDENZ

Mr. CARR. Professor, you have been sworn.

First we would like to have you, extremely briefly, give your present occupation.

Mr. BUDENZ. I am assistant professor of economics at Fordham University and also on the faculty at Seton Hall University.

Mr. CARR. You were formerly editor of the *Daily Worker*?

Mr. BUDENZ. That is correct.

Mr. CARR. Would you briefly recite your positions in the Communist party very briefly?

The CHAIRMAN. May I suggest, Mr. Carr, that this is already in the record?

Mr. CARR. We can skip that.

The CHAIRMAN. The fact Mr. Budenz was a very important functionary and all his activities have been put in the record so I don't think it is necessary to go through it again.

Mr. CARR. Fine.

Mr. Budenz, I am going to show you a book entitled *A History of Russia* written by Bernard Pares.

Mr. BUDENZ. Yes, sir.

Mr. CARR. Are you familiar with Bernard Pares?

Mr. BUDENZ. I am. I don't know him personally, but I know of him by official communications in the Communist leadership.

Mr. CARR. Do you know him as a member of the international Communist movement?

Mr. BUDENZ. Yes, sir, and as a member of the British Communist party.

Mr. CARR. In what year was this, sir?

Mr. BUDENZ. This was during the 1940's, over a period of time, as a matter of fact. I should say roughly, so far as my memory can serve now, from 1942 to 1945.

The CHAIRMAN. I am going to ask you, Mr. Carr, for the record, has it been established this book is being used for indoctrination purposes in the army?

Mr. CARR. Yes, sir. We had the man the other day that testified that as late as 1952 this book was being used.

Professor Budenz, did you have an opportunity to look at these pages of the book [indicating]?

Mr. BUDENZ. Rather hastily.

Mr. CARR. Would you care to express your opinion as to these pages in the last chapter of the book or would you rather have some time to study them?

Mr. BUDENZ. No. I think I can express an opinion.

This discussion here on the Soviet Constitution or the Stalinist Constitution is a Communist interpretation of that constitution. It is taking at its face value everything the Constitution says whereas there is plenty of evidence now and there was plenty of evidence then that this constitution is a very decided hoax.

The CHAIRMAN. Let me ask you this, Professor. This book, according to the evidence, has been used to indoctrinate the American military, to teach them what communism is, what it stands for. Do you think this is an honest description of the workings of communism, what it stands for, what it is?

Mr. BUDENZ. It is not. The Constitution of 1936 was written specifically to deceive the Western world and specifically the United States. It incorporates provisions such as freedom of assembly, the right to hold demonstrations, and many other provisions which do not exist in Soviet Russia. We have ample evidence of that. I know of that from information through the Communist international apparatus, but I think that is public information today. It is impossible to hold a demonstration in Soviet Russia even for higher wages. And the Constitution provides many such guarantees on paper which do not exist in reality and was written in 1936, significantly when Soviet Russia was seeking to bring about the people's front arrangement or the means of deceiving the United States.

The CHAIRMAN. Here is one of the things that puzzles me and disturbs me greatly, Professor. We have had many of these books that we find are being used to indoctrinate our troops, one being the book by Ernest J. Simmons. He has been identified by Bogolepov, who was in the Soviet Foreign Office in Moscow. He identified Simmons as the man he knew in the Soviet Foreign Office and had instructions to write this book.

As I read it, and I am not nearly as such an authority on this subject as a man like you, but just as I read it, I am of the impression it is complete Communist propaganda. You have this one by Pares. I believe the testimony is that the last chapter was written under instructions from the Soviet Foreign Office, those instructions being transmitted through the Russian embassy in London.

Is that right?

Mr. CARR. Yes, sir.

The CHAIRMAN. Would you have any idea at this point you may want to give this more study, I don't know—as to whether this material is being or rather has been put out to our military as a result of merely stupidity or do you think that that is being put out for more sinister reasons?

Mr. BUDENZ. May I see the book a moment, Senator?

The CHAIRMAN. Yes. The book which I hand you now, Professor, is not only used as an indoctrination source for other material, it also is being used in its entirety.

I would suggest you turn over and look at the authors that were used. You will find an unusual group.

Mr. BUDENZ. The authors in this book indicate it is Communist propaganda.

Corliss Lamont, to my knowledge, is a Communist.

Harriet L. Moore, to my personal knowledge and I have met her in national committee meetings of the Communist party, is a Communist.

Vladimir Kazekavich, though I have not met him, he was a lecturer also and according to official communications, he was a Communist.

Frederick L. Schuman has repeatedly and emphatically been called to my attention by the Communist leaders as a Communist. He is a member of so many Communist fronts that that should suffice but I have this official information.

John N. Hazard, though I have never heard him mentioned specifically as a Communist, has been noted as a close friend of the Communist party. He helped, I think, Henry Wallace write *Soviet-Asia Mission*, and you will observe that he also is an editor of Vishinsky's *Law of the Soviet Union*.

The CHAIRMAN. I believe Hazard has been identified by Mr. Bogolopov, who was in the Russian Foreign Office, as a Communist for some years, was he not?

Mr. CARR. Yes.

The CHAIRMAN. Yes.

Mr. BUDENZ. So it wouldn't surprise me, though I had never heard it specifically mentioned that way.

Sergei Kournakoff is known to me personally—he is dead now but was known to me personally not only as a Communist but as a Communist espionage agent. He was a courier from the secret underground apparatus of the Communist party of the United States to the Soviet Consulate. He also wrote in the *Daily Worker* under the name of The Veteran Commander and was connected with the Communist Russian paper here—Russian Communist paper here in New York.

Andrew J. Steiger, he is a Communist, wrote in the *Daily Worker* and is also the ghostwriter for Henry A. Wallace's *Soviet-Asia Mission*.

Dr. Henry N. Sigerist though I have never met him, was officially called to my attention on a great number of occasions and most emphatically because of his outstanding position as a Communist.

John Somerville may be known to me personally, but at any rate I know from official communications that he is a Communist. About 1943 or 1944, he wrote an article on dialectical materialism

either for an encyclopedia or an anthology on philosophy, and we had a discussion of that in the cultural commission of the *Daily Worker*; and while that discussion is of course no longer too clear in my mind, I do know that on that occasion V. J. Jerome, who was in charge of cultural work for the Communist party, declared Mr. Somerville to be a Communist, and that was the information on which I proceeded to act while I was managing editor of the *Daily Worker*.

I noted here, Senator, also in the bibliography which I have glanced at very hastily that most of the sources are pro-Communist sources, some of them open Communist or at least identified Communist.

For instance, we have here Dr. B. J. Stern who is notorious as having written under the name of Bennett Stevens for the Communists; and we have others of that character.

There are one or two references in here that are not Communists and maybe you would say are even critical of the Communists, but the overwhelming majority of those cited here in the bibliography, and I would say without wanting to be too accurate, almost 90 percent are pro-Communist sources, including Communists.

The CHAIRMAN. Professor, we have another—first, let me ask you a question, referring to the book that you had before you written by this man, Simmons, which apparently is a compilation of the works of a sizeable number of Communist authors, can you conceive of that being of any benefit whatsoever, being used to indoctrinate our troops?

Mr. BUDENZ. Most decidedly, not, and I am astounded to find that the intelligence service, which is particularly sharp on this matter, has accepted this book or any part of it.

The CHAIRMAN. I may say, in connection with the intelligence service, we had General Partridge before us the other day—he is head of G-2 now—and he said he has never read any of the works of Marx, Lenin, Engels; he couldn't—didn't know the difference between Marxism and Marxism-Leninism; he didn't know what happened in the Communist movement from 1945—that is when, as you know, they had the tremendous turnabout; he didn't recognize who Harriet Moore was or any of the Communist authors. And that is the man who is head of our G-2 at this time, so I am not too much impressed with G-2 as an authority on communism.

We have here also, Professor Budenz, a document entitled "Psychological and Cultural Traits of Soviet Siberia." This was sent out to various commands—not a great number of the original documents were sent out, but the command of course had the right to reproduce it, if they cared to, and the obvious purpose was to give the various commanders an accurate picture of communism in action in Siberia.

I wonder if you have had a chance to look this over or not.

Mr. BUDENZ. I haven't seen this full document, Senator. I have seen portions of it, and those portions were certainly not realistic to start with and were not descriptions that should be conveyed of Soviet Siberia.

The CHAIRMAN. I wonder if you would care to take the list of people who were used as authors or sources for this document and give

us a rundown on it. I am particularly interested today in Corliss Lamont, who will be here to testify.

Mr. BUDENZ. Corliss Lamont is known to me as a member of the Communist party. I say that aware that he has denied this. But on several occasions I met him as a member of the Communist party. In official communications among the Communist leaders, he was held up as being among the first rank of the Communist concealed leadership. And, of course, the positions of responsibility to which he was assigned as head of the Friends of Soviet Russia, which later became the National Council of Soviet-American Friendship indicates his position. I happen to know, however, definitely face to face that he is a Communist.

The CHAIRMAN. Have you ever personally met him at a Communist gathering?

Mr. BUDENZ. No, I have not met him personally, because the understanding was that he was not to be at Communist gatherings nor at the headquarters of the Communist party.

But I have met him in connection with the formation of the People's World, where he represented the party. That is, he didn't say so, but it was said to me by Frank Palmer and by a Miss or Mrs. Field, I think it was Alice Field, in his presence.

Secondly, in 1937 Herb Goldfrank, he is the husband of Helen K. Colodny, the writer of children's stories and the Soviet espionage agent, called to my attention the fact that Corliss Lamont was on the telephone.

He stated that Lamont wanted to know about James Burnham, then a professor in New York University, and I went to the phone and talked to Lamont and told Lamont that Burnham was a Trotskyite in his sympathies, and Lamont said as a Communist he was pleased to hear that, or at least to get the information because he had been taken in by Burnham temporarily.

At that same time, in that conversation, he sent word to Clarence Hathaway, who was in charge of the penetration of a number of organizations for the Communist party and also in charge of the control of certain Communist fronts, that he, Corliss Lamont was sending to Comrade Hathaway, and that was the phrase he used, a report for the party on his activity within the organization known as the Friends of the Soviet Union.

The CHAIRMAN. Did he tell you this over the phone, Professor, or where did you get the information that he was sending his report?

Mr. BUDENZ. He told me that over the phone in this same conversation about James Burnham.

The CHAIRMAN. May I ask you this: There is always the possibility that I could call you and say, "Professor Budenz, this is John Jones speaking." Unless you recognized my voice, you wouldn't know whether it was John Jones or Pete Smith or Joe McCarthy. Do you think if you listened to Lamont testify, you would be able to state definitely whether or not you would recognize his voice as the man who admitted he was a member of the Communist party?

Mr. BUDENZ. Yes, I think I would.

The CHAIRMAN. With that in mind, I would like very much if you could—I know we have imposed on you and taken a tremendous amount of your time, but we would like it very much if you would stay in the room and listen to Lamont testify.

Mr. BUDENZ. Very well.

The CHAIRMAN. If you could do that.

[Mr. Budenz shakes head in affirmation.]

The CHAIRMAN. Pardon me, Frank, you have more questions.

Mr. CARR. Concerning this book you had before you, there are other people listed in the bibliography. Would you recognize any of the others there?

Mr. BUDENZ. Simmons.

Mr. CARR. Simmons you have spoken of?

Mr. BUDENZ. Pares, I have spoken of.

Mr. CARR. Yes.

Mr. BUDENZ. Professor Harper, though I don't know him as a Communist, he was always considered by the Communists to be very close to them in his attitude.

There is only one name that I see whom I could say to be a critic of Soviet Russia and that is David J. Dolan, *Forced Labor in the Soviet Union*. There is no doubt his work is valuable.

The CHAIRMAN. Let me ask you—

Mr. BUDENZ. In criticizing slave labor in Soviet Union.

The CHAIRMAN. Let me ask you this. As I go through this document, and I understand you haven't read it over, you may not be in a position to testify in detail, but as I read it, I find about 95 percent of it praises either directly or indirectly the Communist system to the skies, and I find about 5 percent which is highly critical of communism. We have had witnesses who have identified entire passages as coming directly from Stalin's book, others that come from—I forgot the name of the document—one that Bogolepov referred to as the Communist Bible.

Mr. CARR. History of the CPSU.

The CHAIRMAN. History of the CPSU.

Mr. BUDENZ. That is Stalin's own work. That is what you might call, if you dared use that language, the Bible of the Communists.

The CHAIRMAN. I think that is the way it was referred to.

I think I understand the *modus operandi* here myself but for the record, would you care to discuss the purpose of putting in, into that document, material highly critical of communism, 3 or 4 or 5 percent of the entire work.

Mr. BUDENZ. Well, if there weren't something critical in here, it would be seen to be too clearly a Communist document.

For example, we have some very startling statements: The toiler was elevated to the highest respectability. That is utterly false, false in view of the fifteen million slave laborers in the labor passport system wherein the laborer could not leave the job without the consent of the bureaucrat; false measure of respectability is wrong; and it is false in addition in Stalin's own words, if we had time to quote them from the *Problems of Leninism*, where he shows the dictatorship of the proletariat is actually the dictatorship by the Communist party, by the vanguard. Just one statement like that immediately throws the whole picture out of focus.

The CHAIRMAN. I wonder if I could ask you to do this, Professor. I would like to send you the testimony of Bogolepov and the Yale Professor who was in—what is his name?

Mr. CARR. Petrov.

The CHAIRMAN. Petrov, who had been imprisoned in Siberia for some time and was an important member of the Communist party in Russia, who has testified this is pure Communist propaganda. I would like you to go over their testimony and the passages which they pick up and get at some future time—oh, we are having a hearing Monday, but I don't think perhaps we could get around to your testimony then. I am taking Tuesday off. And be in a position to give us a—oh, your idea of just the extent to which this is Communist propaganda.

This is off the record.

[Discussion off the record.]

[Witness excused.]

Mr. CARR. Mr. Chairman, to further identify one of the authors mentioned, I would like to just note for the record that the *New York Times*, of Wednesday, January 18, 1950, page seventeen, carries an article in which Vladimir Kazekavich is identified by Elizabeth Bentley as a Russian agent.

The CHAIRMAN. Kazekavich is one of the men being used to indoctrinate or was used—

Mr. CARR. That is right.

The CHAIRMAN [continuing]. To indoctrinate the troops.

Mr. CARR. He is one of the contributors to the book called *USSR, a Concise History*.

The CHAIRMAN. Which is—

Mr. CARR. Which is being used by the army.

The CHAIRMAN. Have we found out whether that is being used as of this moment? We know it was up to 1952.

Mr. CARR. No. We were to get that.

The CHAIRMAN. From Stevens.

Mr. CARR. From Stevens.

The CHAIRMAN. We are to get that from Stevens. Good.

TESTIMONY OF HARRIET L. MOORE (HARRIET MOORE GELFAN)

The CHAIRMAN. Miss Moore, raise your right hand. In the matter in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss MOORE. Yes.

The CHAIRMAN. The answer is I do?

Miss MOORE. I do.

The CHAIRMAN. Your name is Harriet Lucy Moore, is that correct?

Miss MOORE. That is my maiden name, yes.

The CHAIRMAN. What is your name today?

Miss MOORE. Harriet Moore Gelfan.

Mr. CARR. What is your present address for the record, please.

The CHAIRMAN. May I first inform the witness the principal reason why you are here is because we found your works are being used to indoctrinate our military on communism and upon the Soviet Union. We have been investigating the use of the works of Communist authors, the works of espionage agents to indoctrinate our military, and that is the principal reason why you are here today, to ask you some questions in that respect. And Mr. Carr will proceed with the questions.

Mr. CARR. What is your present occupation, please?

Miss MOORE. I have—housewife.

Mr. CARR. Housewife. Are you the Harriet Moore who assisted in the preparation of the book entitled *USSR, a Concise Handbook*, which was edited by Joseph J. Simmons, excuse me, Ernest J. Simmons?³

Miss MOORE. Yes. Well, I wrote one section of it.

Mr. CARR. Did you write the section entitled “Number II, Physical Features”?

Miss MOORE. Yes.

Mr. CARR. Did you contribute in any other way towards the production of this book?

Miss MOORE. Not that I recall.

The CHAIRMAN. Do you know Ernest J. Simmons?

Miss MOORE. I am in a peculiar position. I was called to this committee at five o'clock yesterday. I have had no knowledge of what it was about. I have not had an opportunity to consult with counsel, and I don't quite understand the implications of my being called here.

The CHAIRMAN. May I say this, that the subpoena has been issued for some time, we issued it some time ago, and it wasn't your fault that it wasn't served until last night.

If you feel for your protection you need to confer with counsel, I think, Mr. Carr, that the witness is entitled to have time to confer with counsel.

Mr. CARR. All right, sir.

The CHAIRMAN. Do you want to have an adjournment so you can confer with counsel?

Miss MOORE. How long an adjournment would I get?

The CHAIRMAN. How long do you want?

Miss MOORE. As a matter of fact, I would need several days.

The CHAIRMAN. I think that is reasonable.

Miss MOORE. I called and asked for such a delay, but couldn't get one.

The CHAIRMAN. I think that is a reasonable request. You have been identified, you see, under oath as an espionage agent of Communist Russia. You have been identified as a Communist. You have been identified as an important functionary in the *Amerasia* publication, which has been named, I believe, by intelligence agents as a tool for Soviet espionage.

In view of the seriousness of those charges, I think you should have whatever time you think you need to consult with counsel and decide whether or not you want to give us the information which we want or decide whether you feel giving such information to us would incriminate you.

Today is Tuesday. How would it be if we give you until next Monday?

Miss MOORE. Well, that's better than nothing.

The CHAIRMAN. If you think that isn't enough, we will try to give you more time. I think that gives enough. That gives a full week.

Miss MOORE. Okay.

³Ernest Joseph Simmons, ed., *USSR, A Concise Handbook* (Ithaca, N.Y.: Cornell University Press, 1947).

The CHAIRMAN. One thing that occurs to me is this. We had some questions to ask you today principally about your alleged Communist connections, about whether or not you were under the discipline of the Communist party when you wrote these things, and we were going into that.

We had hoped it would be unnecessary to call you to Washington. If we don't hear you today, we will have to ask you to come to Washington. That is both a hardship upon you and a hardship on the committee, because we have to pay your way back down there and back.

Miss MOORE. If that is the only question you want to ask me, I can answer that by declining to answer it, as you know I do.

The CHAIRMAN. Why don't we do this. If it meets with your approval, we will let Mr. Carr go ahead and ask you questions and if the situation arises in which you think you want additional time, then we will give you until Monday.

Miss MOORE. It has already arisen.

The CHAIRMAN. I see. In other words, you do want additional time?

Miss MOORE. Yes.

The CHAIRMAN. We are giving you until Monday.

Miss MOORE. All right. I will have to go to Washington?

The CHAIRMAN. Yes. Uh-huh! This may seem a hardship to you, but, you see, and I have never met you before, know nothing about you personally; all of the evidence about you is that you were a very, very important functionary of the Communist party, a party which is dedicated to the destruction of this nation by force and violence; evidence that you were an espionage agent. Therefore we are duty bound to try and get that information from you. And we find your works are being used to teach our military.

And I may say we do not enjoy this, either, but we will have to ask you to come down Monday.

Miss MOORE. There will no more hearings in New York?

The CHAIRMAN. No. I will be leaving—I will be here two days, but I am tied up completely with the interviewing of witnesses.

Miss MOORE. It is very difficult for me. I have five small children, and it is not easy for me to go to Washington.

Mr. CARR. It would be a one-day hearing.

The CHAIRMAN. It will be; might not get to her Monday. I wouldn't like to call her down, if we have Budenz, Bogolopov, and the Yale professor. I have got to take off Monday afternoon before 3:30. Doubt if we can get to her Monday.

Mr. CARR. Then we would have to have a hearing here?

The CHAIRMAN. We will try and arrange so you can be heard up here.

How old are you children?

Miss MOORE. The oldest is 8½.

The CHAIRMAN. We will hold it up. We won't require you to come to Washington Monday. I wish you would consider yourself under subpoena, in other words not released from the subpoena. We will try and hear you in New York. I perhaps won't be here myself, but have one of the other senators hear your testimony. Let me ask you this question, and you can either answer or refuse to answer, using the Fifth Amendment, or ask for an adjournment on this also.

Would you care to tell us whether or not as of today you are a member of the Communist party?

I say, if you want to hold that answer up until you have a chance to consult with counsel, you may do so.

Miss MOORE. I would like to hold that up, too, please.

The CHAIRMAN. You may. You may. You will be excused, but you are still under subpoena.

Miss MOORE. Yes, sir.

[Witness excused.]

The CHAIRMAN. Mr. Lamont.

Mr. WITTENBERG. How do you do, Senator? Mr. Lamont is coming in. I am his attorney.

The CHAIRMAN. I see.

Mr. WITTENBERG. Where do you want him?

The CHAIRMAN. Raise you right hand, Mr. Lamont.

**TESTIMONY OF CORLISS LAMONT (ACCOMPANIED BY HIS
COUNSEL, PHILIP WITTENBERG AND IRVING LIKE)**

[Although taken in executive session, this testimony was published in 1953 in U.S. Senate Committee on Government Operations, Hearings before the Permanent Subcommittee on Investigations, *Communist Infiltration in the Army* (Washington, DC: Government Printing Office, 1953), page 1–19.]

[Whereupon, at 4:25 p.m., the committee was adjourned.]

KOREAN WAR ATROCITIES

[EDITOR'S NOTE.—A task force of the Permanent Subcommittee on Investigations, chaired by Senator Charles E. Potter, investigated war atrocities committed by Communist forces against American troops in Korea. Public hearings on the issue were held on December 2, 3 and 4, 1953. None of the witnesses who appeared at the executive session on October 6, Edward J. Lyons, Jr., Lt. Col. Lee H. Kostora, Maj. James Kelleher, and Lt. Col. J. W. Whithorne, III, testified again during these public hearings.]

TUESDAY, OCTOBER 6, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 10:00 a.m., room 357, Senate Office Building, Senator Charles E. Potter, acting chairman, presiding.

Present: Senator Charles E. Potter, Republican, Michigan.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Robert Jones, assistant to Senator Potter; Harold Rainville, administrative assistant to Senator Dirksen; Ruth Young Watt, chief clerk.

Also in attendance: Mr. John Adams, representing the secretary of the army, Mr. Stevens; Brig. Gen. C. C. Fenn, director, legislative and liaison division, Department of the Army; Lt. Col. J. W. Whitehorne, III, G-2; Lt. Col. Lee H. Kostora, G-1; Mr. Edward J. Lyons, Jr., Judge Advocate General's Office; Maj. James Kelleher, Department of Defense, Psychological Warfare; Mr. Charles A. Haskins, staff department counselor.

Senator POTTER. Gentlemen, first I want to thank you for coming up here on such short notice to give us the benefit of what information you can give us. As you probably know, the chairman has designated me as a task force of one to try to find out what has happened to the several thousand American soldiers that the Communists haven't returned and we have apparently no knowledge what has happened. We have seen in the papers that many of them have been massacred behind the North Korean lines. We would like to have that information.

Now, also, I think it would be well for me to say we have no intention of competing with the military or competing with United Nations forces in this field, but I do know that a mother that has a son or a wife who has a husband that is unaccounted for here desires to get full and accurate information as to his whereabouts or what has happened to the person that they are interested in. We solicit your cooperation and we assure you that we will endeavor to carry out our duties without any embarrassment to the military

or anyone else. We are not after anyone. We are on the same mission that I am sure you gentlemen are.

Now, Frank, I assume you have discussed this with the gentlemen here, so would you go right ahead.

Mr. CARR. I think first, sir, I will have Mr. Lyons give us a little bit of background of the situation.

In the sense that this is going to be a roundtable discussion, if at any point some of you other gentlemen find something you want to put in that might help the senator——

Senator POTTER. If you do that, take cognizance of the fact that our fair young lady is keeping minutes of the meeting.

Mr. COHN. I think if each person who speaks will identify himself first.

**TESTIMONY OF EDWARD J. LYONS, JR., WAR CRIMES
DIVISION, JUDGE ADVOCATE GENERAL'S OFFICE,
DEPARTMENT OF THE ARMY**

Mr. LYONS. In the summer of 1950, to be exact, July of 1950, General MacArthur, at that time Far East commander, ordered his judge advocate to take steps to investigate atrocities, war crimes, being committed against our soldiers, South Koreans and civilians. Within a week or ten days, General MacArthur was appointed United Nations commander in charge of all forces in Korea and thereafter he appointed his commanding judge advocate responsible for the collection of war crimes material, the investigation, interrogation of witnesses, the collection of evidence in the preparation for trial. In his capacity as United Nations commanding judge advocate, Colonel George Hickman prepared what we shall call a "direction" to all judge advocates in the field as to the manner in which they would conduct interrogations and submit the evidence to him.

A step further, in October of 1950, the United Nations commander, General MacArthur, ordered the judge advocate of the United States Eighth Army to establish a war-crimes division in his command which would gather all of this evidence and which would interrogate the witnesses for all needs and coordinate the work of various staff judge advocates in the army and different commands. That division functioned as such until August of 1952 when the then United Nations commander, General Clark, ordered the duties of that division transferred to the Korean Communications Zone, so as of 1 September 1952, the War Crimes Division has been operating under the commanding general of the Korean Communications Zone.

Senator POTTER. In order to fully identify that command, who is the commander?

Mr. LYONS. I am afraid——

Senator POTTER. Is that a theater command?

Mr. LYONS. That would be a theater command. I don't know the name of——

Mr. ADAMS. The Korean Communications Zone is not a theater command as it is now known under General Clark. The Korean Communications Zone was a line of communications to the Eighth Army in Korea as distinguished from the theater command.

Mr. LYONS. It is headed by a Lt. Col. R. Todd, a judge advocate lt. colonel.

Communications Zone was a line of communications to the Eighth Army in Korea as distinguished from the theater command.

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During the time that the War Crimes Division has been in operation it has investigated roughly eighteen hundred cases, with the exception of roughly seventy duplicate files. All of these case files are in Korea.

Senator POTTER. Now, the case files for the entire eighteen hundred cases are in Korea?

Mr. LYONS. The entire eighteen hundred cases are in Korea. The case files range from cases that the judge advocate believes are provable cases, and there are only a small percentage of those cases which we have nothing more than an unsupported confession or individual eyewitness testimony. Many of the roughly eighteen hundred case files are based solely on confessions of North Korean or Chinese Communists who were prisoners of war at Koji Island. That was the United States prisoner-of-war center.

Now, in our office we have at the present time what we call case status reports of roughly sixteen hundred of these files.

Senator POTTER. What do you mean by case status reports?

Mr. LYONS. A case status report is what we call a thumb nail sketch of the file. It would contain, where possible, the names of victims; where known, their nationality; whether military or civilian. It will contain the names of suspects and their nationality if they are known. It will state where the incident occurred and then will give a brief description of what the incident was or is.

It will give where we have the names of survivors and that is pretty much all.

Senator POTTER. Have the survivors been notified at all that you have this information?

Mr. LYONS. The survivors have been interrogated in Korea.

Senator POTTER. You are talking about survivors on the spot?

Mr. LYONS. Yes, sir.

Now the statements, interrogations or affidavits of the survivors will be found in the case files that are in Korea, and in those case files in Korea you will find photographs; you will find a report of the investigating officer; you will find medical case histories, identification of bodies and any other information that in the opinion of the investigating officer would go to make up a case.

Senator POTTER. What are your plans now? What are you planning to do with this information?

Mr. LYONS. I would say that—let me answer your question by going back a few months if I may, Senator. The Little Switch Operation, that was a term of wounded POWs, which took place in April of this year and was completed in the middle of the summer. The returnees, both United Nations and our boys, were interrogated in Korea. The results of those interrogations have been incorporated, here applicable, in these eighteen hundred case files. There is continual interrogation of all of the returnees. As a result of this "Little Switch" operation roughly 140 new cases have been opened. We have not as yet received any of those case status reports.

Now we come to "Operation Big Switch." There will roughly be thirty-five hundred interrogations there. I don't know at the mo-

ment what percentage of the thirty-five hundred interrogations will obtain war crimes information but whatever there is, whatever number we do extract will have to be returned to the War Crimes Division in Korea for study and incorporation in the pending cases or the possibility of an opening of a great many new cases.

Senator POTTER. In other words, your eighteen hundred cases were discovered prior to the exchange of prisoners?

Mr. LYONS. No, I must say roughly fifteen hundred or sixteen hundred, in round figures, prior to the exchange of prisoners. There were roughly 141 new cases as of the 31st of August as a result of "Little Switch."

Senator POTTER. What type of a process did you find? Were they on a mass basis or—

Mr. LYONS. They vary, Senator. You had the mass basis particularly as regards the South Korean civilians. You did not have, so far, too many of the mass cases involved in United Nations. You do, of course, have the three or four cases that have grown out of the march from Seoul to the border.

Now, we do expect and we have reason to believe that there will be many more cases opened as a result of "Little Switch" and "Big Switch" having to do with the march from Seoul. We have other cases—we have found other cases—we have the murder of roughly twelve hundred United States soldiers by North Koreans and there we have only the testimony of one North Korean who was a participant and eyewitness but the War Crimes Division in Korea thought that his statement would be accepted.

Senator POTTER. I understand that this North Korean testified or they have a statement from him that twelve hundred were killed at one time?

Mr. LYONS. In one operation.

We have a large number of cases where the atrocity is two, three, four, five, six, ten, twelve United Nations prisoners who were wounded and their bodies were discovered with their hands tied behind their backs with evidence that they were beaten, their eyes gouged out, used for bayonet practice and the like. We have one case where a wounded American, the enemy Communist threw gasoline on his clothing and ignited him and he managed to crawl back to the American lines and later died in the hospital.

Senator POTTER. You have his statement, I assume, before he died?

Mr. LYONS. Yes.

Senator POTTER. I wonder if from the G-1 section we could find out what a man's family would be notified when a soldier is missing in action and then his statement given to the War Crimes Commission that he has been a victim of Communist atrocity. I assume that G-1 notified the parents.

TESTIMONY OF LT. COL. LEE H. KOSTORA, G-1, OFFICE OF THE ASSISTANT CHIEF OF STAFF

Col. KOSTORA. We notify, that is, the adjutant general notifies the family or the next of kin of any change of status of anyone missing in action or any casualty. If we have the information on any casualty we report it to the parents. I don't know of any cases

where we reported atrocity cases, that is, we have told the parents that an atrocity was committed.

Senator POTTER. Now, in the cases that Mr. Lyons mentioned where a majority of them haven't been definitely proven, do you notify the family that the missing in action son has been killed?

Col. KOSTORA. That is right. We have in our records where we have definitely known that a person was missing in action and died in a missing status, we have notified the family.

Mr. ADAMS. I think the Senator's question was: Do you advise the family that he was murdered?

Col. KOSTORA. No, sir.

Senator POTTER. It is changed from missing in action to killed in action?

Col. KOSTORA. It depends on the circumstances. It would depend on the report we would get from the Far East command. All of the information that we get concerning a man we do report to the family of the man.

Senator POTTER. I don't know whether you have the information Mr. Lyons is referring to or not. I assume you don't.

Col. KOSTORA. I assume not. We probably have cases where they died in American hospitals. I am sure the adjutant general received information through casualty channels. What type of information he received I couldn't say.

Senator POTTER. If they have information from a North Korean prisoner that he witnessed the massacre of a soldier or several soldiers, then you wouldn't necessarily have that information?

Col. KOSTORA. No, sir. Not necessarily.

Mr. ADAMS. I would like to say the army never revealed the names of soldiers who were murdered at Malmedy Massacre although they have them. They have not made the family aware of the fact that they were murdered instead of killed in action. That has been eight or nine years. I expect they will adhere to that situation. They have photographs, in General Clark's possession, of numerous soldiers with their hands tied behind their backs readily identifiable, throats cut and things of that sort. Obviously, if they are published the face will be blacked out. That would be a terrible thing for a mother to see. I don't think the fact that an individual was murdered instead of killed in action would be revealed. Is that right?

Col. KOSTORA. That is right.

Senator POTTER. I am not an expert on psychological warfare, but I am just wondering if that might be a pretty good psychology although it may be hard on the mother, but I am just thinking out loud.

Mr. ADAMS. We have Major Kelleher here from the Psychological Warfare Branch of the Office of the Secretary of Defense who could describe the program if you'd like to hear about it.

TESTIMONY OF MAJ. JAMES KELLEHER, PSYCHOLOGICAL WARFARE BRANCH, DEPARTMENT OF DEFENSE

Maj. KELLEHER. That is presently under active consideration, sir, and on the verge of approval a program which will really include three different phases. First is the exposure for the benefit of not only the American public but the world in general the nature of

these atrocities and that really covers two phases there-domestic and foreign, do the same thing on a global basis. It has a third phase which I might say concerns Ambassador Lodge at the United Nations, which will include the charge of biological warfare. This plan will probably be kicked off within the next day or so. In fact, Ambassador Lodge is going to show some film, motion picture sound interviews with the same air force fliers who were characterized in the so-called germ warfare charges. Over a period of the last two years the Communists have produced at least four or five propaganda films which have been distributed through different areas of the world and various languages which are built around their confessions—six people, four air force fliers and two marine fliers. Also involved is a so-called International Scientific Commission made up mostly of Europeans and Asiatics. The British representative is a man named Neeam. They went to Korea under the auspices of the Communists and made a so-called impartial investigation of germ warfare. The biggest and most powerful propaganda on the Communist side in the hearing of this commission were the confessions of the two air force fliers, Lt. Enich and Lt. Quinn. Oddly enough, we weren't so sure we would get these individuals back from the Communists on the "Big Switch." We feel that we got them back because the Communists had put them on film and gave it global distribution and quite evidently couldn't hold them, they repatriated them. However, these people on repatriation have all recounted, stated that confessions were obtained under various degrees of mental duress. We got for Ambassador Lodge sound motion picture interviews with the same individuals and these are now in his hands. If you will recall, he entered a resolution at the United Nations last spring asking for an impartial investigation of this PW thing, and he defied Communists at the United Nations stating if you will bring the so-called confessors out of North Korea and give them thirty days rest, without exception they will recount on their confessions. They have now recounted and he wants to put it on record. He has invited members of various delegations and a pretty good press quorum in New York to view these films. The latest word is that it will be this afternoon or this evening, in what has to be a kick-off on this program.

We also feel, if I may bring up this point, that your committee in making these investigations can be of tremendous help in the global program that we are trying to get underway to bring this whole mess to the attention of the world.

To get back to your mention about notifying the mother that her son was a victim of atrocity, from a psychological standpoint it will undoubtedly have a powerful effect. It has to be measured simply against the pain and emotional impact on the mother and American people. Does that about suffice, sir?

Senator POTTER. Yes. I would like to solicit your advice as to how best we can utilize the information we have.

Maj. KELLEHER. All right, sir.

Senator POTTER. Since the truce and the switches of prisoners has there been any interrogation of American PWs after they returned to the states. Do we have information on that?

**TESTIMONY OF LT. COL. J. W. WHITEHORNE, III, COLLECTION
AND DISSEMINATION DIVISION, OACS, G-2**

Col. WHITEHORNE. War crimes and atrocities information is not in itself intelligence. However, during the interrogation process applied to all returned personnel we do conduct, in accordance with established EEI, Essential Elements of Information, questioning for war crimes and atrocities information as a collateral activity. That information in turn is received after processing in the Department of the Army where it is made available to the interested parties, in particular the adjutant general casualty branch and the JAG office.

G-2 does not evaluate or process this information. We merely pass it on to the interested and competent agencies. Does that answer your question, sir?

Senator POTTER. Yes. The reason I asked the question, I have had several inquiries from people, mothers, whose sons haven't returned and they claim they have heard from certain PWs, American PWs, that they saw them in prison camps. They have no information from the military or they had no information from the son while in prison camp. I saw some correspondence where the mother contacted the army and gave the army the names of some returned PWs who were supposed to have information concerning her son. I am just wondering if the army has had the time or facilities to track those individual cases down by contacting PWs after their return to the states.

Col. WHITEHORNE. Each returnee is interrogated. They have a list of questions—who they saw, where they saw them, physical condition, where he thinks they are now.

Off the record, I can explain the process to you.

Where we receive an indication through the interrogations that a particular man is alive, that information is passed to the adjutant general along with the identity of the man who gave it. In fact, we pass the raw information to them so they have as much of the story as we do. They cross-check the other persons who might have seen him. If John Jones is carried as missing in action on the adjutant general's roster, then three prisoners come back all of whom said they saw John Jones, that gives the adjutant general a basis for three checks to see whether he should be changed from missing in action status to captured. Comparison of dates involved tell whether or not he should have been returned on possibly this last exchange.

Senator POTTER. How many should have been returned that haven't been?

Col. WHITEHORNE. I believe Colonel Kostora—

Col. KOSTORA. So far we have turned over—the UN Command has turned over to the Communists a list of 944 American names.

Senator POTTER. 944?

Col. KOSTORA. Yes, sir.

Mr. ADAMS. That includes army, navy, air force and marines.

Col. KOSTORA. That includes all of the services.

Senator POTTER. How many UN troops have been returned?

Col. KOSTORA. I think there were about three thousand, roughly.

Senator POTTER. About three thousand have been returned?

Col. KOSTORA. Yes, sir.

Senator POTTER. Do we have any information at all that some of our PWs have been sent to labor camps?

Col. WHITEHORNE. Yes, sir, installations which could be called labor PW camps where they saw lumber, some mining, but mostly lumbering.

Senator POTTER. Do we have any information that we still have American troops in labor camps?

Col. WHITEHORNE. None at present.

Senator POTTER. I am thinking now in comparison to World War II. I think they are still returning German PWs who served seven or eight years in Russian Labor Camps. I wonder if they have any Americans as a result of the Korean War. Do we have any knowledge or information to that effect?

Col. WHITEHORNE. We have no information that any particular individuals are held in camps of that nature at this time. We have a dragnet out now for information and action trying to ascertain that fact, as to who they are, where they are, why they are there.

Mr. COHN. You think there are people there and are looking for further identification?

Col. WHITEHORNE. Typical. G-2 pessimism, there probably are.

Senator POTTER. For my own information, I am curious about the twenty-three Americans who are still over there and apparently Communist propaganda got the best of them—or maybe they went into the service as pro-Communists. Is there any check being made as to the background of the men still there?

Col. WHITEHORNE. That information is available.

Mr. COHN. What was the answer on that? Did any of those people have Communist backgrounds?

Col. WHITEHORNE. Some of them had leftist leanings.

Mr. COHN. Would we be able to get some documentation?

Col. WHITEHORNE. There are some present FBI files of activity prior to entry in service.

Mr. COHN. From whom in your shop could we get that? You are probably going into that pretty thoroughly?

Col. WHITEHORNE. No, we have not. Our information is fairly scattered. The adjutant general may have some information in their 201 files; then on check of the name for security purposes, you may find that the F.B.I. had some report of activity on the individual. Now, our security division would be the people to contact regarding each person.

Senator POTTER. Now, that is security division of G-2?

Col. WHITEHORNE. Yes.

Senator POTTER. Could they supply us with a little summary on each one of those on whom there is any derogatory information?

Col. WHITEHORNE. They probably could. I am sure they could.

Mr. COHN. I think it would be helpful—a summary on the twenty-three on whom there is any information of leftist activity before they went in.

Col. KOSTORA. Actually we have twenty-three names of people as reported by the Communists at this moment. We don't know whether the twenty-three men are the twenty-three named, and I don't suppose there has been any attempt to find out whether or not they are because I don't believe our people will ask the identity

of any men because of the feeling that we don't want to reveal the identity of anti-Communist people that we have in our possession.

Mr. COHN. They have given us twenty-three names. If we could have the information on the twenty-three imparted, what information you have concerning them would be very helpful.

Maj. KELLEHER. The twenty-three names were released by Wilford Burchett, a Communist Korean correspondent for a Parisian Communist newspaper. The Communists didn't do it—a pretty neat trick to use a kind of third person.

They don't have to stand behind their lies regardless. Certainly the UN commander or military never would have given a list of the twenty-three names to the American press, knowing the impact on American mothers and not knowing for sure that they were the same ones. The Communists are only too glad to help you out.

Mr. COHN. Of course, you can't tell but I would think they would try to be accurate. If someone named turned up on our side they would look pretty sick.

Senator POTTER. How many soldiers would you classify in the so-called progressive group? The ones who played ball with the commies previous to the war?

Col. WHITEHORNE. Before answering that I'd like to issue a caution. The files are not complete as yet. When a man is interrogated his file is received in the U.S., received in G-2, Sixth Army, who turns over the file to the service of the individual, in case of airman, marine, sailor. In case of army personnel the files move from the Sixth Army to his home army, what we call gaining command. The gaining command is charged with the responsibility of reading the file for their own information. They have the case in their hands summarizing it, distributing summaries to other armies and back overseas to the armed forces Far East and then forwarding the summaries, ten copies of the summaries and original to G-2.

G-2 in turn makes the original and a copy of the summary available to all interested parties. Unless those files are all received in G-2, cross indexed and filed centrally, it will be impossible to say "yes" or "no."

Senator POTTER. How long before that process will be completed?

Col. WHITEHORNE. We hope to have it done in about nine months. Each individual returning has information on upwards of two hundred others which means a cross indexing to two hundred other files.

Senator POTTER. Would you be in any position to make a rough estimate to the number indoctrinated with Communist philosophy here?

Col. WHITEHORNE. The Communists attempted to indoctrinate them all. We feel that it has possibly taken on the basis of "Little Switch" about 2½ percent, "Big Switch" about 5 percent. However, as a complete group, the figure now—possibly the overall impression is somewhere around 2½ percent.

Senator POTTER. The major mentioned the air force personnel who signed confessions concerning germ warfare. Now, I would assume that the army and the Psychological Warfare Branch has spent considerable time interviewing the returned PWs who signed confessions, not only in germ warfare but went on the radio—We did have some personnel that did that? Has that been done?

Col. WHITEHORNE. Yes, sir.

Senator POTTER. Another question that I would like to ask, who do you think we should talk to? Who do you think we should contact to get as much information as possible to conduct this hearing?

Col. WHITEHORNE. On the, war crimes and atrocities or overall?

Senator POTTER. First, on war crimes, atrocities, then on the overall—the prisoners of war and we'd like to get information concerning the Communist methods. I think we should blow that up. How the Communist used the prisoners of war in violation of all international agreements as to indoctrination and the methods used. I think that should be blown up as much as possible.

Col. WHITEHORNE. On war, crimes and atrocities, War Crimes and Atrocities Division, Office of the Judge Advocate; on indoctrination, Office of the Chief of Psychological Warfare.

Senator POTTER. Mr. Adams, I don't know whether anyone here would be in a position to say whether the proper defense places would loan us personnel to work on this case—

Mr. ADAMS. I am quite sure we can. I am quite sure the department will lend the committee any assistance which you required to make preparations for a hearing. I am sure the secretary of the army would want to and I am sure the secretary of defense would. The Psychological Warfare Office, under General Erskine, Office of Secretary of Defense would be available to assist you. I am sure then both the judge advocate general, G-1 and G-2 of the army would give you all the assistance possible.

I would like to make a slight reservation on the request of Mr. Cohn that the cases on the twenty-three names be made available to the committee, together with any background of possible Communist affiliation before they entered the service, in addition to the problems faced, these individuals would fall within the terms of the president's directive on—I'd like to reserve that long enough for us to examine whether or not this situation would.

Mr. COHN. That would still come under the Truman black-out order?

Mr. ADAMS. I am quite sure it would.

Maj. KELLEHER. May I say we were faced with the same thing in supplying material to Ambassador Lodge at the UN. We have run across it in one case. Finally—I'd like to mention this to Mr. Adams—it was down to whether we were dealing with a personnel loyalty file. We managed to skirt it in this case by simply dealing with the open testimony given after coming back from Korea.

Senator POTTER. Of course, the names have been made public. I know of the name of a men mentioned. I assume he is from Detroit, and I mean Detroit newspapers played it up.

That is something that could be worked out with the staff?

Mr. ADAMS. That is correct.

Senator POTTER. I wonder, Major, if you know whether the UN have—do they have a committee or commission working on this problem too?

Maj. KELLEHER. With regard, sir, to the exposure of the PW mess or refuting charges, yes, sir they do. It is, I might say, a pet project of Ambassador Lodge and a follow through from his resolution of last spring demanding an impartial investigation of this thing.

Senator POTTER. Would it be your advice to contact Ambassador Lodge so that our efforts are coordinated?

Major KELLEHER. Yes, sir. I believe so. It could be done very handily right here in Washington. In this particular case he has a back-stopping group which works out of the formerly Psychological Strategy Board, now the Operations Coordinating Board of the National Security Council. This is Mr. C. D. Jackson's group, sir.

Mr. ADAMS. I might suggest, Mr. Chairman, you might wish personally to get on the phone and talk to Ambassador Lodge about it. It might also be well worth your while to speak to General Robert Cutler, administrative assistant to the president on this psychological strategy matter. Both of them might be able to give you assistance, help the committee.

Senator POTTER. That is good advice.

Do you think it desirable at this point to follow through and talk with some of the returning PWs who you have information concerning, eyewitnesses of atrocities committed?

Mr. LYONS. Yes, but the report on recent returnees—our men go back to 1950 and 1951. The recent ones the files are in Korea. No, some of them would be in the files in Korea, but I think that a batch of affidavits would be found in the Pentagon. A great number are still in "Big Switch," which have not as yet been processed. In the pipeline, sir.

Mr. ADAMS. There were two points in this Lyons made yesterday in the meeting I attended you ought to know. One is that the interrogations of these people developed the fact that most of the men who had been incarcerated for a long period of time, during the course of lengthy interrogation dropped two hundred names of individuals they have known in prison camps. Those people must be dropped into slots. We have no IBM machines to do it. It is a hand job. That brings the second problem. The army doesn't feel these people can be interrogated, cross-checked and put in the proper place within eight or nine months. The second point was made by the people here, I have forgotten which one, but that can be elaborated on. Some of these returning prisoners on interrogation proved to be surprisingly inaccurate in the things they may say. I have forgotten which one.

Col. WHITEHORNE. Yes. We have found instances where four or five men had been together for a long period of time. They were restricted in movement and one saw what everybody else saw. Yet, we got reports from the four gentlemen and the fifth would go off on a tangent, and well, we checked it in a couple of instances—went to the adjutant general's file and found that he left school in the fourth grade. He put misinterpretations on things probably as a result of a fairly poor background, not a trained observer, in fact, a poor observer. We also found that the stories did not adequately describe the behavior of individuals. It would take stories of four or five to describe one—before we got the correct idea. At the present moment all stories are considered unreliable and will be considered unreliable until the facility is achieved whereby they can be cross-checked.

We had one instance, and I would like to put this up as a warning in dealing with these people, where one gentleman came back and spoke to another here in Washington and made a statement

to the effect that four men should be decorated for acts behind the enemy lines while prisoners. We proceeded to try to build up stories so they could be decorated and found just the opposite was true.

One of the men whom we know, in the hands of the enemy—in an army group at the moment—is repeatedly reported as most helpful to his fellow prisoners. Yet at the same time he has indulged in all sorts of treasonable acts which amount to trial of the individual.

Senator POTTER. Just a good natured fellow helping both sides.

Maj. KELLEHER. There is a point on that. It goes back to the basic philosophy of good treatment. In the Communist indoctrination process good treatment is inductive to indoctrination. It is not at all unreasonable when you have studied it. There is a lot of ostensibly good treatment for a very specific purpose. Good treatment of patients who adhere to their teachings.

For instance, a fairly smart boy working on an ignorant farm hand says come over to the indoctrination lecture and just play along with your captives. They gave those boys a library loaded with Communist trash and terrific anti-American propaganda and it is not unreasonable to find the situation Colonel Whitehorne is talking about.

Senator POTTER. Do you have any suspicion that they have sent some of the men who have been indoctrinated back and they kept them from being identified too much as progressives so they come back here and do their work?

Maj. KELLEHER. Yes, sir, and I am thinking of your committee too because I wouldn't say probably but possibly you put out word that you welcome people to come and testify before your committee, you might get to it, and they may get up and give you a harangue with which I am sure Mr. Cohn is familiar.

Mr. COHN. I gather they don't stock their information libraries with pro-American books.

Maj. KELLEHER. They take care of pro-Communist stuff. Don't worry about that.

Senator POTTER. Major, I assume you also received information from the air force and navy as well as the army?

Maj. KELLEHER. Well, sir, there is nobody involved in this PW stuff except the air force and marines—this biological warfare proposition. Obviously, the navy in this case was not involved.

Senator POTTER. When I spoke of navy, I meant it to include the marines. I would assume that it would be probably desirable to contact the appropriate officer of the air force and the marine corps as well.

Maj. KELLEHER. Is this with reference to prospective witnesses?

Senator POTTER. Yes. Would you have information?

Maj. KELLEHER. We would either have it or could get it, yes, sir.

Senator POTTER. Mr. Adams, I am wondering if somebody could be designated soon to work as liaison between the committee and the Department of Defense on this matter.

Mr. ADAMS. Yes. Secretary Stevens asked me to work as liaison with the committee on matters such as this; initially me.

Mr. COHN. We are going to be keeping you pretty busy on other things. We would like to get one fellow who could just keep his fingers on the whole situation all the time.

Senator POTTER. I think this afternoon I will call General Erskine or secretary of defense to see if one person can be designated to work close liaison with the committee.

General Fenn, do you have anything you'd like to add.

Gen. FENN. No, sir. I'd like to have Colonel Whitehorne tell something about the screening process they are going through, the details.

Col. WHITEHORNE. When the reports that I mentioned reached Washington we have a reading panel set up who go through the reports. Twenty-two different officers are perusing these reports at the reading panel. They read the summary and the report and designate whether or not they want the report circulated to their particular agency. We have set a priority on these things purely arbitrarily giving the adjutant general's casualty branch first go. The reason we do that, it is a life and death matter concerned with the welfare of the individual and his family.

By using the reading panel system we show everybody what we have and where we get it. Also, it gives them a chance to come back and ask for individuals to be re-interrogated here in the Continental United States by the army commander.

Senator POTTER. These reports that are sent to you are from the theater?

Maj. WHITEHORNE. The report that came back from overseas with the individual.

Senator POTTER. You say you have a reading panel?

Col. WHITEHORNE. G-2. My office—what we call our documents library.

Senator POTTER. After reading the reports do they make recommendations or what happens?

Col. WHITEHORNE. We are acting there in the capacity of disseminator of information. We make the information available to the judge advocate who then takes it and processes it, brings it forth in trial.

Mr. LYONS. We plan to excerpt from these interrogations any war crimes information and forward it to our War Crimes Division in Korea for incorporation in the case files as soon as possible.

Senator POTTER. Then the complete files are still in Korea?

Mr. LYONS. I am leading up to that Senator, if I may.

In the early part of September at the start of this so-called Department of Army Psychological Warfare plan, we communicated with the Korean Communications Zone and asked them to forward to us, on a loan basis, a certain type of case.

Number one, what we would call a referral case. A case we felt would be recommended for trial. Number two, a case which had reached the point of proof; that additional evidence would simply be accumulated. In other words "Big Switch" or "Little Switch" would add nothing to the merits of the case, and Number three, those cases which they had which were of prima facie nature where they had no perpetrator. They didn't know the perpetrator. To date we have received seventy-eight of those case files. Some of them

are pretty good. Roughly forty of them involved Americans solely or Americans and South Koreans as the victims.

Now, we personally would like to offer for your consideration as a suggestion the idea that you might want to use some of those better case files and we would offer to you the JAG officer whose interrogation it was in the field in 1950 and 1951, who saw the victims, talked with survivors, interrogated eyewitnesses, were present when pictures were taken, wrote up reports of cases which he submitted to the War Crimes Division.

Now, we have six or seven officers available at the moment.

Senator POTTER. Gentlemen, I think one of the main purposes of this committee will be to get the greatest psychological value we can from the hearings and it would seem to me from the questioning this morning that it would be desirable to work with yourself, the JAG office and also the others, particularly Psychological Warfare Division, to get three or four or more cases where we have eyewitness accounts where the soldiers are back here. Bring him in for the purpose of a hearing. I think it will be much better to have a former G.I. himself tell his eyewitness story than it would be for an officer to relate his story.

We could get—select four or five of these stories and work with your people, then contact the eyewitness observer to have public hearings. Now, can you see anything wrong with that?

Maj. KELLEHER. It sounds fine to me.

Mr. JONES. Major, may I ask if the Psychological Warfare Division has consulted any way General MacArthur or any other field leaders over there?

Maj. KELLEHER. No, sir. We haven't.

Mr. ADAM. I think it would be well, Mr. Chairman, to explain how the Psychological Warfare program was developed.

It generated in the army. It was first conceived by General Ridgeway and proposed to the Joint Chiefs of Staff. The secretary of defense agreed to their proposal and it was submitted to the National Security Council, which is composed of the president, the vice president, secretary of state, director of mutual security, secretary of defense and director, Office of Defense Mobilization. The National Security Council made the decision so it is as close to being a national policy as you can get if the decision is finally made to publication. It is not something that was ill-considered in the Pentagon. It started as the public information program and has global ramifications. The truth—the pure bare facts are such potent anti-Communist propaganda that it has global ramifications rather than just domestic.

Mr. JONES. You say the Psychological Warfare Board has been working as a back-stop to Ambassador Lodge, have you in the course of your work consulted with General MacArthur?

Maj. KELLEHER. Not at my level, sir. If such consultations have taken place, it would certainly be at a higher level.

Mr. JONES. Have there been such consultations?

Mr. ADAMS. We don't know. We have no way of knowing.

Mr. COHN. Could you find out?

Maj. KELLEHER. I could raise the question. Ours is purely an intelligence collection and evaluation job to get ammunition for Ambassador Lodge.

Mr. JONES. Wouldn't his advice be beneficial, helpful?

Senator POTTER. What about General Van Fleet? Has he been consulted since his return? I assume many of the reports came while he was in command.

Maj. KELLEHER. I am at a little disadvantage, sir. I am at a little lower level.

Senator POTTER. Sometimes word of such consultations gets around. The fact that you don't know doesn't mean they didn't take place?

Maj. KELLEHER. No, sir.

Mr. COHN. The consultations with General Van Fleet, if we could check on that too.

Maj. KELLEHER. I doubt very much if I could get the answer.

Mr. ADAMS. I think what you could do would be to ask General MacArthur and General Van Fleet. You might write them a letter and get the answer for the record.

Gen. FENN. I think, Senator Potter, we should go into a little more detail of the cases that we have reports on north of the parallel and we are now not able to do anything about.

You put on the record a large number of cases. Tell us about the investigation.

Mr. LYONS. There were roughly about four hundred, in round figures, incidents which have occurred in North Korea and you are never going to be able to get back in the area where the atrocity took place to check as regarding eyewitness accounts of people in the neighborhood, local people, and to find the bodies. A certain number of those case we have the confession of the North Korean Communist but practically all of those confessions were at a later date repudiated by the Communists.

Senator POTTER. Has this information been submitted to the United Nations?

Maj. KELLEHER. Various portions of it, sir, are in preparation.

First, our intelligence got together documents and prepared them on a classified basis. Then they are put back through intelligence channels for evaluation study and agreement with conclusion. Then they request declassification and it becomes an open public document for Ambassador Lodge's use. We use the psychological vulnerability, which simply means those holes we can get at.

Senator POTTER. Is there any thinking that war criminals will be prosecuted if we ever have the opportunity?

Mr. ADAMS. I think that point should be in the record, Mr. Chairman. The point you should remember is that when the Korean Truce was signed we did include among the prisoners in United Nations control a number of individuals accused by one person or a group of persons. War criminals were all returned just as the Communist returned to us some people they accused of war crimes.

Senator POTTER. In other words, we returned a prisoner who we had a case against of war crimes?

Mr. ADAMS. On whom we may have had cases.

Senator POTTER. And in return they sent back people they were charging with such stuff as germ warfare.

Gen. FENN. I think we returned two hundred, 199.

Mr. COHN. How many did we get back?

Mr. LYONS. We received a total of thirty-five hundred.

Mr. COHN. I was thinking of the 199——

Mr. LYONS. That was the total exchange, "Big Switch"——

Gen. FENN. Mr. Cohn was referring to how many we got back from the Communists charged with war crimes.

Mr. COHN. Did we give back more than we got?

Mr. LYONS. There was no attempt to tabulate. I just don't know.

Maj. KELLEHER. We were perfectly willing to give one hundred Commies for one American.

Mr. JONES. Mr. Lyons, you stated earlier that over in Korea you have approximately eighteen hundred provable cases. Is that correct?

Mr. LYONS. I can't tell you the exact number of provable cases. There are roughly eighteen hundred case files. The majority of them are based on the confession of a Korean or Chinese Communist, which has since been repudiated—hearsay, unsupported eyewitness testimony.

Mr. JONES. In other words, eighteen hundred files.

Mr. LYONS. Eighteen hundred files.

Mr. JONES. Have UN officials seen these files?

Mr. LYONS. No. The files are over in Korea.

Mr. CARR. You have sixteen hundred of these summaries of files here?

Mr. LYONS. Yes.

Mr. CARR. Of this sixteen hundred, you must have been making classification and study of that number. Do you have an estimate or analysis of these? Narrow it down from sixteen hundred to some number you think would be a good number of cases. In other words, we would like to come over and look at the sixteen hundred cases and not have to go through sixteen hundred cases. Can you point out forty or fifty?

Mr. LYONS. Yes, from the case status report.

Senator POTTER. Are some of these cases possible treason?

Mr. LYONS. I am quite sure not.

Mr. COHN. I am thinking in terms of the Provoo case.

Col. WHITEHORNE. I am not a lawyer. I wouldn't know a treason case if it fell on me except I do know actions inimical to the best interests of the United States. It is up to the judge advocate to decide whether a case exists.

Mr. COHN. About how many cases would you say?

Col. WHITEHORNE. I wouldn't hazard a guess.

Senator POTTER. Any referred to your office?

Mr. LYONS. No, sir, Senator, my understanding of that procedure is that an army level determination will be made as to whether a case can be prosecuted and recommendation will be made at that field level.

Maj. KELLEHER. Secretary Wilson made an announcement to the press to the effect that cases will be considered on an individual basis and each case will be given sympathetic consideration.

At what point does a man's physical and mental ability to withstand his treatment—at what point is he resolved of responsibility from the standpoint of temporary derangement. Colonel Enich, the air force confessor reached the point where he realized later he was thinking like a ten year old child to the point where he agreed to write and sign the confession.

Mr. JONES. Are both Allen Wington and Wilford Burchett, war-time correspondents in Korea, are they British subjects?

Maj. KELLEHER. They seem to figure in. We have one man who said Burchett came to him shortly before he was repatriated and said, "You are the only American left in North Korea." He signed the confession and was on his way down to Panmunjom. That was a lieutenant. I don't remember this man's name. I think he is covered in the *U.S. News and World Report*. That is where you have got to decide the amount of psychological pressure a man can stand.

Mr. CARR. Major, it seems apparent that your department, psychological warfare, you seem receptive to the committee's going into this matter. You say it will work out very well from your standpoint. Now, what kind of concrete suggestion do you have as to our approach to this thing.

Maj. KELLEHER. I think I can answer that fairly clearly. We would like to help. There are many sides to it. This mind murder or complete inversion of mentality, if we could do that—display the methods used in handling all propaganda, the false conceptions, the distorted stories.

What we should do on a long-range goal is destroy the credibility of Communist propaganda. Colonel Green would be a good witness.

Senator POTTER. Who was the air force colonel who signed the confession?

Maj. KELLEHER. Evans. I believe Colonel Evans would make a good witness. Captain Sachden, who was repatriated, exchanged in the "Little Switch" operation, I believe would make a good witness.

Senator POTTER. We have, you say, nine hundred and some that are still missing?

Mr. LYONS. Nine hundred forty.

Senator POTTER. They are not accounted for. Now, I assume that possibly some of those could be victims of murder by the Communists? Have the nine hundred and some been checked against the atrocity file that Mr. Lyons mentioned?

Mr. LYONS. I don't know, sir. The adjutant general would make that check. The adjutant general is making a check based on the result of interrogation of returnees. The adjutant general has put out a plan on gathering information on casualties and the plan has gone to the field and has placed the responsibility on local commanders to question all returnees regardless of whether the returnee is a prisoner of war. Every man who comes back from Korea who belonged to a unit is subject to further interrogation for casualty information. From time to time, as we get word from these returnees that they saw a certain person in a prisoner of war camp, the adjutant general sends material out to the field and advice to contact members of that man's unit or other prisoners who might have been in the camp for as much information as they possibly can. The adjutant general is required to make determination under the Missing Persons Act to finally close out these cases and he is attempting to get everything he possibly can. Senator Potter, you mentioned earlier something about mothers who write in and they had never received any letters or had never received any information, that is a continuing process and it won't stop. It is very active.

Senator POTTER. I have been swamped by letters from mothers who have sons who haven't been accounted for as yet, and from many of them I have a certain amount of evidence that they were prisoners of war and I know the anxiety they have and we would like to work with you so we can give them as much information as possible.

Maj. KELLEHER. Undoubtedly, it would hurry things up if we could talk with them when they get off the ship at San Francisco. However, under the law everyone coming back from the Pacific, the first thing they get is a pat on the back and thirty days leave. It is hard to interrupt that.

Senator POTTER. Gentlemen, I have nothing further this morning. I would appreciate it if somebody could be designated as liaison with the committee. I think I had better take care of that myself and call either the secretary of defense or General Erskine so we would have somebody that would work with our committee full time and not going off on cross purposes.

Mr. ADAMS. I am sure General Erskine for the psychological strategy phase would designate Major Kelleher. As far as the atrocity matter the secretary of defense would turn it over to the army, Secretary Stevens and he would turn it over to me and I would designate Mr. Haskins sitting next to me. I think that would probably save you the call, unless you want to call General Erskine.

Senator POTTER. I am going to be away on other committee assignments until the first part of December. That will allow time for the staff to work liaison with Mr. Lyons' office and also the Psychological Warfare Division and make other contacts that might be necessary.

I would think it advisable to get some of your best files, I think possibly I'd line up about ten cases, Frank. Try to contact some of the returned PWs, returned soldiers, who were eyewitnesses to these atrocities. Interview them in light of the statements that they have given in prior interviews and set that up for a hearing about the 10th of December. Is that agreeable with you gentlemen? Can you see any cross purposes to that? In the meantime I think the committee should go out and contact Ambassador Lodge. We will also contact previous field commanders, I think General MacArthur and General Van Fleet. See if they have any suggestions. As a matter of fact, I think General Van Fleet should be contacted. I would like to have him work quite closely with this committee.

Maj. KELLEHER. For your information, Ambassador Lodge has the PW item coming up on his agenda today—anytime after about the 21st of October—I am thinking only in terms of keeping the campaign alive. This might just fit in.

Senator POTTER. I expect to be on the West Coast the latter part of the month and if you have any witnesses out there that you could turn over I would be happy to see them while out there.

In the meantime, Frank, if you have two or three you'd like me to see while there it would save time.

Mr. COHN. There definitely would be some on the West Coast.

Senator POTTER. Well, gentlemen, if there is no other suggestion, I want to thank you again for taking time to meet with us and I will appreciate your continued cooperation as we go along. Feel free at any time if you have suggestions as to how to better operate this

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committee, we are working for the same purpose and we will be very happy to receive them.

[Whereupon the hearing adjourned at 11:45 a.m.]

KOREAN WAR ATROCITIES

SATURDAY, OCTOBER 31, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357, Senate Office Building, Francis P. Carr, executive director, presiding.

Present: Francis P. Carr, executive director; Donald F. O'Donnell, assistant counsel; Thomas W. La Venia, assistant counsel; Ruth Young Watt, chief clerk; Raymond Anderson, administrative assistant to Senator Potter; and Robert L. Jones, executive assistant to Senator Potter.

Present also: Edward J. Lyons, Jr., Judge Advocate General's Office; Col. Wade M. Fleischer, Office of Secretary of Defense for Public Relations and Legislative Liaison; Maj. James Kelleher, Department of Defense, Psychological Warfare.

Mr. CARR. Gentlemen, to get started this morning, I think we will just have a roundtable discussion as we did the last time. Let me review briefly the situation as I see it, and as it stands as of this moment.

It is our purpose this morning to salvage what we can out of what appears to be an unfortunate situation. It was our understanding at our last meeting at which some of us were in attendance here on October 6th, that the hearings projected by Senator Potter for this fall on the Korean War atrocities were to be held in full cooperation and conjunction with the army and Defense Department's projected program in this matter. It was our understanding and it was quite clear to me, and to all in attendance, that Senator Potter was extremely anxious that the committee's work coincide with that of the whole program.

It was my understanding also that the Department of Psychological Warfare and the Department of Defense were, I would say, anxious, or at least enthused about having the committee come in and take part in the program since it was felt that the committee would be another means of bringing this situation forcefully to the public's attention.

It seems to have developed to the point where we have hit sort of an impasse which we will have to overcome this morning.

Mr. ANDERSON. Do you think it would be well at this point for the purposes of the record to incorporate excerpts from our executive session?

Mr. CARR. I think that would be a good point. The reporter will make a part of the record excerpts of the original conference of October 6, 1953.

[The excerpts referred to are as follows:] Excerpts from Stenographic Transcript of Hearings Re Korean Atrocities, October 6, 1953, before the Senate Permanent Subcommittee on Investigations, U.S. Senator Charles E. Potter, Republican of Michigan, presiding.

Maj. KELLEHER (Psychological Warfare). There is presently under active consideration, sir, and on the verge of approval, a program which will really include three different phases. First is the exposure for the benefit not only of the American public, but the world in general, as to the nature of these atrocities, and that really covers two phases there—domestic and foreign, do the same thing on a global basis. It has a third phase which I might say Ambassador Lodge at the United Nations, which will include the charge of biological warfare. This plan will probably be kicked off within the next day or so. In fact, Ambassador Lodge is going to show some films, motion picture sound interviews with the same Air Force flyers who were characterized in the so-called germ warfare charges. . . . also involved is the so-called International Scientific Commission, made up mostly of Europeans and Asiatics. The British representative is a man named Needham. They went to Korea under the auspices of the Communists and made a so-called impartial investigation of germ warfare. . . .

If you will recall he (Ambassador Lodge) entered a resolution at the United Nations last spring asking for an impartial investigation of the PW thing, and he defied the Communists at the United Nations stating that if you will bring the so-called confessions out of North Korea and give them thirty days rest, without exception they will recant on their confessions.

We also feel, if I may bring up this point, that your committee in making these investigations can be of tremendous help in the global program that we are trying to get under way to bring this whole mess to the attention of the world. [P. 887]

Senator POTTER. Mr. Adams, I don't know whether anyone here would be in a position to say whether the proper defense places would loan us personnel to work on this case—

Mr. ADAMS (Counsellor for the army). I am quite sure we can. I am quite sure the department will lend the committee any assistance which you require to make preparations for the hearings. I am sure the secretary of the army would want to and I am sure the secretary of defense would.

The Psychological Warfare Office under General Erskine, Office of Secretary of Defense, would be available to assist you. I am sure that both the judge advocate general, G-1 and G-2 of the army would give you all the assistance possible. [P. 898]

Senator POTTER. Major Kelleher, I wonder if you know whether the UN has a committee or commission working on this problem too? [P. 899]

Maj. KELLEHER. With regard, sir, to the exposure of the PW mess or refuting charges, yes, sir, they do. It is, I might say, a pet project of Ambassador Lodge's and a follow-through from his resolution of last spring demanding an impartial investigation of this thing.

Senator POTTER. Would it be your advice to contact Ambassador Lodge so that our efforts are coordinated?

Maj. KELLEHER. Yes, sir, I believe so. It could be done very handily right here in Washington. In this particular case, he has a back stopping group which works out of the former Psychological Strategy Board, now the Operations Coordination Board of the National Security Council. This is Mr. C.S. Jackson's group, sir.

Mr. ADAMS. I might suggest, Mr. Chairman, that you talk personally to Ambassador Lodge about it. It might also be well to speak to General Robert Cutler, administrative assistant to the president on this psychological strategy matter. Both of them might be able to give you assistance, help the committee.

Senator POTTER. That is good advice. [P. 899]

Senator POTTER. Mr. Adams, I am wondering if somebody could be designated soon to work as liaison between the committee and the Department of Defense on this matter.

Mr. ADAMS. Yes. Secretary Stevens asked me to work as liaison with the committee on matters such as this; initially me. [P. 903]

Mr. LYONS. (Judge Advocate General's Office). . . . In the early part of September at the start of this so-called Department of Army Psychological Warfare Plan, we communicated with the Korean Communications Zone and asked them to forward us, on a loan basis, a certain type of case. . . . To date we have received roughly seventy-eight of these case files. . . . Now we personally would like to offer for your con-

sideration as a suggestion the idea that you might want to use some of those better case files and we would offer to you the officer whose interrogation it was in the field in 1950 and 1951, who saw the victim, talked with survivors, interrogated eye witnesses, were present when the pictures were taken, wrote up reports of cases which he submitted to the War Crimes Division. [P. 906]

Senator POTTER. Gentlemen, I think one of the main purposes of this committee will be to get the greatest psychological value we can from the hearings and it would seem to me from the questioning this morning that it would be desirable to work with yourself (Mr. Lyons), the JAG office, and also others, particularly the Psychological Warfare Division, to get three or four names where we have eye witness accounts where the soldiers are back here. Bring him in for the purpose of a hearing. I think it would be much better to have a former GI himself tell his eye witness story than it would be for an officer to relate his story . . . [P. 906]

Mr. ADAMS. I think it would be well, Mr. Chairman, to explain how the psychological warfare program was developed.

It generated in the army. It was first conceived by General Ridgeway and proposed to the Joint Chiefs of Staff. The secretary of defense agreed to their proposal and it was submitted to the National Security Council, which is composed of the president, the vice president, secretary of state, director of mutual security, secretary of defense, and the director of the Office of Defense Mobilization. The National Security Council made the decision so it was as close to national policy as you can get if the decision is finally made to publication. It was not something that was ill considered at the Pentagon. It started as the public information program and has had global ramifications. The truth, the pure facts are such potent anti-communist propaganda that it has global ramifications rather than just domestic. [P. 907]

Mr. CARR. (Executive director, Senate Permanent Subcommittee on Investigations) Major (Kelleher), it seems apparent that your department, psychological warfare, you seem receptive to the committee's going into this matter. You say it will work out very well from your standpoint. Now, what kind of concrete suggestion do you have as to our approach to this thing? [P. 913]

Maj. KELLEHER. I think I can answer that fairly clearly. We would like to help. There are many sides to it. This mind murder or complete inversion of mentality, if we could do that, display the methods used in all propaganda, the false conceptions, the distorted stories. . . .

The Acting CHAIRMAN. . . . I would appreciate it if somebody could be designated as liaison with the committee. I think I had better take care of that matter myself and call either the secretary of defense or General Erskine so that we would have somebody working at full time and not going off on cross purposes. [P. 916]

Mr. ADAMS. I am sure General Erskine for the psychological strategy phase would designate Major Kelleher. As far as the atrocity matter is concerned, I believe the secretary of defense would turn it over to the army, Secretary Stevens, who in turn would give it to me, and I would designate Mr. Haskins sitting next to me. I think that would probably save you the call unless you want to talk with General Erskine. [P. 916]

Senator POTTER. I am going to be away on other committee assignments until the first part of December. That will allow time for the staff to work liaison with Mr. Lyon's office and also the Psychological Warfare Division and make other contacts that may be necessary. [P. 916]

. . . Is that agreeable to you, gentlemen? Can you see any cross purposes to that? In the meantime, I think the committee should go out and contact Senator Lodge . . .

Maj. KELLEHER. For your information, Ambassador has the PW item coming up on his agenda today—any time after about the 21st of October—I am thinking only in keeping the campaign alive. This might just fit in.

[End of Excerpts]

Mr. CARR. It was pointed out at that time by Major Kelleher that there was under consideration a program which would include various phases. One phase was that Ambassador Lodge might possibly kick off the program at the UN by showing of a film and motion pictures of interviews of the American flyers involved in the alleged germ warfare charges.

There was also, I believe, at that time a question as to whether or not the Department of Defense could loan personnel to the committee to work on this matter. Mr. Adams felt sure that it could

be worked out, and that proper liaison could be established through Mr. Charles Haskins of his office.

Mr. ANDERSON. Do you recall the acting chairman pointed out, and I might quote here, "I would appreciate it if somebody could be designated as liaison with the committee. I think I had better take care of that matter myself and call either the secretary of defense or General Erskine, so that we would have somebody working at full time and not going off at cross purposes."

Mr. Adams followed and said, "I am sure General Erskine for the psychological strategy phase, would designate Major Kelleher as far as the atrocity matter is concerned. I believe the secretary of defense would turn it over to army Secretary Stevens, who in turn would give it to me, and I would designate Mr. Haskins, sitting next to me. I think that would probably save you the call unless you want to talk to General Erskine."

Mr. CARR. I think it should also be noted that I myself stated that it was apparent that the psychological warfare was receptive to the committee going into this matter, and asked what kind of concrete suggestion could be offered so that we could approach this thing in a proper manner. All of this is being put in the record just to make it as clear as possible that the position of everybody associated with the subcommittee has been that we at least thought we were operating in full cooperation with the Department of Defense on this matter. It appears that somewhere along the line the business has become pretty much snafued. We are in the position, as I understand the picture, where we have a man who is over at the Department of Defense trying to establish liaison in this matter, and yet at the same time the information which he has been seeking is made available to the press before it is known to him.

The point we are interested in getting straight here is whether or not this was an oversight or some sort of design, or what the purpose of this thing was, because it becomes apparent that much of the information given to the press was the type of information that we had been seeking.

It seems to me that our best position this morning should be that we do everything we can to salvage something from the situation. It also seems to me that a more proper way of handling the situation would have at least been to notify Senator Potter by at least forwarding this material to him at the time the release was to be made.

I might say for Senator McCarthy that he feels that something has been fouled up here, that he is anxious to get it straightened out, and he is very anxious to see that Senator Potter, as acting chairman, does have the full cooperation of the Defense Department in this matter.

Mr. ANDERSON. May I interject something at this point? I have discussed the situation with Ambassador Lodge of the UN, and also Ambassador Wadsworth. It is quite clear that they likewise were not notified of any release such as the Department of Defense made available to the press on Wednesday.

Mr. CARR. Gentlemen, that seems to be the position we are in. It is Senator McCarthy's intention, I know, because I have been in contact with him, and I understand it is the intention of Senator Potter's office, to continue to try to cooperate in this matter to the

point where we can conduct these projected hearings as had been intended. The problem that presents itself is what material do we use now. Most of it has been made public. These are the points we would like to get under discussion at this time.

Mr. ANDERSON. In the hearing of October 6, Mr. Lyons stated as follows:

To date we have received roughly seventy-eight of these case files. We personally would like to offer for your consideration as a suggestion the idea that you might want to use some of those better cases files, and we would offer to you the officer whose interrogation it was in the field in 1950 and 1951, who saw the victims, talked to the survivors and interrogated eye witnesses, and were present when the pictures were taken and wrote up reports of cases which he submitted to the War Crimes Commission.

It is my understanding that those cases were included in the release given fully to the press.

Mr. CARR. On that matter, it is my understanding that Mr. Lyons has fulfilled his statement made on October 6 in that he has scanned the cases that were available and tried to be helpful to the committee by, I would say, boiling it down to several cases which he thought would be most helpful. He notified you, Mr. O'Donnell, that the rest could be made available.

Mr. O'DONNELL. May I interject at this point, Mr. Lyons made available at my first meeting with him at the Pentagon approximately fifteen case files which probably were the best case files in his unit from an evidentiary standpoint. There were cases which probably would have been tried if the War Tribunal Plan had gone into effect. At that time he also informed me that we could have anything in his unit. So there was complete cooperation with Mr. Lyons as far as I know.

Mr. CARR. However, as Ray points out, of the fifteen cases all except one of those fifteen have been incorporated in this report.

Mr. O'DONNELL. That is correct.

Mr. ANDERSON. That is the point I wanted to establish.

Mr. O'DONNELL. That is correct.

Mr. CARR. Now, of the original number of seventy-eight, or seventy-four perhaps—

Mr. LYONS. Roughly around seventy.

Mr. CARR. It appears that all of these cases have been made public at this time. What we have to come up with, I think, at this time is some additional cases which have not been made public which are, it seems to me, equally infamous. I think we have to have some more positive assurance from the Defense Department that the Defense Department is fully cooperating with Senator Potter in this matter. We do not wish to appear this morning to be in the role of complaining, other than the fact that we cannot afford to let Senator Potter go into this matter, and then have it exposed before he has had his full chance to do it, especially when it seems to me that Senator Potter was perhaps the most cooperative committee member that I have ever seen on the Hill. His whole attitude was one of full cooperation with the department in this matter. He made it quite clear that he wanted his program to be coordinated into the overall picture. He did not want to upset any applecart that were already under way. But by his coordination into the general picture, I am sure he did not intend that he be coordinated right out of the thing. It is like a fellow I knew at

law school who once said that the dean said he should do a little relaxing, so he proceeded to relax himself right out of law school.

That is the problem we are faced with this morning and we want to come to some solution to this thing. We feel we must, and we are definitely going to see that Senator Potter's program in this matter is fully protected as well as it can be at this stage. We would like to have any suggestions that you might have on this matter.

Don, from your contact with Mr. Lyons and the others at the Department of Defense, is there a possibility of there being other cases?

Mr. LYONS. Could I interrupt before Mr. O'Donnell answers that question?

Mr. O'DONNELL. Yes.

Mr. LYONS. I will probably address my remarks more to Mr. O'Donnell, because we sat down at that first conference. If you will remember at that hearing when we spoke to the senator of the officer who investigated, he said he would prefer to have GI survivors as his witnesses. That, of course, immediately lessened the available number of cases that we could give you, because there were only a small percentage. I think as I said that morning at the hearing, of the roughly seventy cases we had then, only about forty involved Americans as the victims, and of that forty, a smaller percentage were cases in which there was an available U.S. survivor. So that in itself was the reason why only roughly fifteen cases were offered to Mr. O'Donnell at that time.

Mr. CARR. I might say, Mr. Lyons, we are satisfied with that phase of the thing. The problem presented to us, now, of course, is since those cases were so few in number, the exposure of those cases, I might say personally, prematurely, does place us in the position where the possibility of other cases is very limited or almost the point of impossibility.

Mr. LYONS. I wonder if it can be said that making public the information that has been made public in these cases has destroyed the value for the committee. You have no eyewitness testimony in these thumbnail sketches that have been given out. Do you think that one of these good cases, the tunnel massacre, has been spoiled because one paragraph has been given out? We could bring in ten or fifteen or twenty witnesses who actually saw the killing.

Mr. JONES. May I add this information which is a statement made by the senator in the executive session. It reads:

Gentlemen, I think one of the main purposes of this committee will be to get the greatest psychological value we can from the hearings. It would seem to me from the questioning here this morning that it would be more desirable to work with yourself, Mr. Lyons, the JAG office and also others, particularly the Psychological Warfare Division, to get the names of eye witnesses where the soldiers are back here now. Bring him in for the purpose of the hearing. I think it would be much better to have a former GI himself tell his story than it would be for an officer to relate the story.

That is the end of the quote.

Subsequent conversation with the senator on this particular point cleared it up to this extent, that the senator would prefer that a GI—and when he is thinking of a GI, he is thinking of a non-commissioned officer and soldier, rather than have the officer in the Pentagon relate the story.

Mr. O'DONNELL. I think that was clearly understood. May I interject at this point that according to the information I received at the Pentagon the other day, and this is from Major Robert Cook in the Office of Public Information, photostatic copies of complete raw files on forty-two cases which came out of your office with certain phases deleted, such as names of survivors and the face, etc. blacked out, were made available in toto to the press. He further informed me that he had photostatic copies of two hundred of your thumbnail summaries which would be presumably the better cases of your sixteen hundred, and if any member of the press desired the raw file case based on that summary, it would also be made available to him. He further advised that this particular release, and the availability of the files, was to be a continuing one, so that any member of the press could come in at a later date and review a file, which leaves us in the apparent position of only having the possibility of live survivors to testify. But all the other information is readily available to the press, according to that office.

Maj. KELLEHER. May I make a suggestion, sir? First I would like to say that with regard to our original meeting with Senator Potter, please believe me there was no intention of bad faith or anything in the way of the manner in which the thing developed. Senator Potter did make one statement at the October 6 meeting that sticks in my mind which may have been overlooked where he said he was specifically interested in about 950 people whom we knew or had felt were still in the hands of the Communists and still alive. That particular aspect of this has not been gone into at all. It might be a very relevant point and could be gone into. It seems to me that there should be among the returned GI's in the United States now plenty of people who were those individuals who gave us information when repatriated as to the existence and the fact these individuals were alive and know they had not been repatriated. That was one point I thought Senator Potter was specifically interested in. I think it was pretty early in the meeting that he brought up this point.

Mr. JONES. I recall. I think it was 944 missing.

Mr. CARR. That is right.

Maj. KELLEHER. When these people came through the repatriation center, one of the first questions they were asked was to name specifically anybody they knew of who was up there. Then by a matter of comparison and elimination we came up with a list of about 944 of the people we felt that the Commies still held, and were alive, and we made a formal demand on the Commies at Panmunjom to produce the people. They came back with a list that said forty-eight people were repatriated, and the others never existed. We still think they do and have evidence to that effect. That thing stands right at about that point now.

Mr. CARR. However, I think it was quite clear that Senator Potter wanted roughly atrocity cases.

As I said before, we do not want to sound as though we are sitting back here crying that we have been injured in the thing. We want to salvage what we can from what we consider was a mistake or perhaps a misunderstanding on somebody's part—definitely a mistake—and it seems to me a definite slighting of the senator's interest in this thing. The way the senator wanted to cooperate, we

feel that if they were going to make a release, the very least they could have done was to have sent the release out in the form of a notice to the senator that this thing was being done. We do not want to continually harp on that. We feel that the damage has been done.

I agree with Mr. Lyons that there is probably something we can salvage from the thing, and that is what we have to do now. I have to rely on Bob and Ray on this part, but I think the senator was primarily interested in atrocity cases.

Mr. ANDERSON. That is correct.

Mr. CARR. It is true he did show some interest in these 944 cases. He also expressed a passing interest in the twenty-two, but he indicated that he was not going into it. That is my understanding. His prime interest was in the atrocities. Can we work out some arrangement whereby he can still go into this atrocity picture? What is the possibility on that, Don?

Mr. O'DONNELL. The possibilities on that, as I see it, depend on the number of cases that are released to the press over and above those that are included in the report. Of course, they do not have the individual survivors. Also, I understand there may be some difficulty in using some of these individual survivors in open hearings. So our field is definitely limited.

Maj. KELLEHER. I don't understand.

Mr. O'DONNELL. There is a possibility that some of these survivors gave the statement to the army on a confidential basis, and did not want their names divulged at any time.

Maj. KELLEHER. I am not aware of that.

Mr. O'DONNELL. I picked up that information at the Pentagon.

Maj. KELLEHER. I see how it could be possible, but I knew of no specific case.

Mr. O'DONNELL. That was told to me by Major Cook.

Mr. LYONS. That may well be on cases involving collaboration, but I find it difficult to understand that a statement that would back up one of our atrocity cases, for example, supposing we got hold of somebody who survived the march, I don't think his statement would be confidential.

Mr. O'DONNELL. If that is the picture, we could use the individual.

Mr. LYONS. You remember what I said that morning, that when we had determined the cases you wanted, then we were going to go after the Big Switch returnees to see if it was possible to turn it in later.

Mr. O'DONNELL. That is right.

Mr. LYONS. We did submit eighty-three or eighty-four names.

Mr. O'DONNELL. Eighty-three.

Mr. LYONS. Yes, from that batch of cases as a possible start. I don't know to what extent you feel we can still use those names in the original cases. I honestly believe we can.

Mr. O'DONNELL. We can, but we are faced with this factor. We don't know to what use the press will make these individual cases available to the public between now and the time of the contemplated hearings, which was indicated by Senator Potter as December 10 of this year. So we are faced with an unknown quantity as to what we are going to combat. We could conceivably work up

possible cases within the week before the scheduled hearings, and have all of our material available to the public by individuals of the press who have access to these cases.

Maj. KELLEHER. If they are not already out, certainly we can reserve ten cases, or something like that, can we not?

Mr. LYONS. Mr. O'Donnell is correct when he says that everything we have received from the field has been made available to that channel. Either the photostats have been delivered, or the cases have been examined, and they know that the cases are in our possession and are available for their use. That is why I brought up here roughly fifteen or twenty cases that are not in that summary. They are cases where Americans were the victims and there are American survivors. Some of them I think are very good cases. I say to you either the photostat of that case is in the Office of the Chief of Information, or he knows that the case is in our office.

Maj. KELLEHER. Mr. Lyons, I am not quite clear, but even if the cases are in the Office of the Chief of Information, have they also been made available to the press at this point?

Mr. LYONS. Not all of them.

Maj. KELLEHER. I don't see why we could not get a stop on some selected cases, and hold it up.

Col. FLEISCHER. Mr. Carr, the reason I have not been getting into this, I have been getting filled in on it like you have, on behalf of Secretary Seaton. Listening to this conversation about these files, I will certainly go back and talk it over with Mr. Seaton, as Mr. Kelleher has suggested to see if cases in which you people have an interest can not be—I hesitate to use the word “withheld”—but shall we say just withdrawn or not made available. I must confess my surprise at the moment to the fact that these things were made available on such a grand scale. I don't know the reasoning behind that. That is something I am not familiar with, nor is Mr. Seaton. I will be glad to go back and talk it over with him, and see what we can do in that respect. I fully understand your position.

Mr. CARR. Our position, I think, is plain. I want to emphasize at the risk of repeating myself, it might be perhaps a little different from many investigations conducted by committees on the Hill, this one Senator Potter was confident was being conducted with full cooperation with the department, and he was trying to coordinate his efforts into that of the overall program. He did not express any desire, and did not have any desire, to upset anything in the overall picture. He realized it was a big picture. He realized, as Major Kelleher said in the record the last time, Ambassador Lodge might kick the thing off with some of these pictures at the UN. He realized somewhere in the statement that somebody said it was possible the president might even kick the thing off. The thing was a program. He expected to be coordinated into the program voluntarily. He was giving up a sort of prerogative of his as a senator to go in there and demand things. He wanted to be part of the program. He wanted to be helpful to the program. It was his understanding that he was being helpful to the program by holding some open hearings on the thing. We just get down to this position that somewhere along the line, the thing has gotten snafued and what appears to have been his contribution to the program, exposing

publicly some of these worst atrocities, seems to have been usurped and already exposed.

Now we want to salvage what we can from that situation by complete cooperation. If we can work out, Bob and Ray, some arrangement whereby the Department of Defense would—I don't like to say withhold, because it puts you in the position of withholding information—would not make available to the general public certain cases that we could possibly use from the remainder, we might salvage something from that. I think the department has, whether intentionally or unintentionally—we do not want to get into that phase of it—has very definitely slighted the Senator, which in my opinion is a very unfortunate thing to happen. I think we should have some sort of a statement from the department recognizing the fact that Senator Potter has been in this thing, and is in this thing. Bob, can you elaborate on that a little?

Mr. JONES. I have one question. May I inquire as to who is the official liaison between this committee and the Pentagon here this morning?

Mr. CARR. Col. Fleischer is the liaison with the Department of Defense.

Col. FLEISCHER. I will say now it has gotten up on the defense level. In other words, when Mr. Anderson talked to Secretary Seaton, and Mr. Seaton asked me to discuss the background and look into what had gone on before, and meet with you people, I would say the assistant secretary of defense for legislative and public affairs is now the liaison in this case.

Mr. JONES. Does that mean that from here on in you will be the active liaison between the committee and the Pentagon in the conduct of these investigations?

Col. FLEISCHER. It will probably boil down to being Col. Britton in my office.

Mr. JONES. Does that action supersede Mr. Adams and Mr. Haskins?

Col. FLEISCHER. I would not say it is a question of superseding the Department of Army, because they have the action responsibility, the files, the personnel, the know-how and so forth. But when you get into a position as we are in now, where a committee of Congress feels that a defense-wide operation—I say that because it was not only the Department of Army as such, but also General Erskine's office, Office of Public Information and the Office of Secretary of Defense—we now get into a position, as I see it, whereby this thing has actually gotten up on the secretary of defense level.

Mr. JONES. In other words, in the future if Mr. O'Donnell, or the subcommittee staff, or Senator Potter's office, wishes at any time to gain access to any Department of the Pentagon, it would go through your office as liaison to this committee?

Col. FLEISCHER. That is right.

Mr. ANDERSON. May I also make this attempt to clear this up, Colonel? Secretary Seaton has control of the release of all information from all branches of the service with respect to the release to the press.

Col. FLEISCHER. I am sorry to say that I am a little hazy on that problem, because up to the time that Mr. Seaton came into the office, I was only concerned with legislative liaison. I would be glad

to go back and check that for you. I am not quite clear in my own mind. As you probably know, the three departments have their public information services, as well as the Secretary of Defense. However, the release on this came out of the Office of Secretary of Defense, Mr. Seaton's public information division as distinguished from legislative liaison.

Mr. JONES. Yet that went out over the signature of the secretary of the army.

Col. FLEISCHER. That is right.

Mr. CARR. That seemed to be one of the problems in this general snafu. Without getting into why, how or where, perhaps the liaison was not fully known. I don't see why it should not have been, but perhaps it was not fully known. Perhaps something could have been fouled up along the line that obviously was not made known to the liaison that was dealing with the situation. So we won't run into the trouble again, if it is now on the defense level, the possibility of such a release should, it seems to me, be taken into consideration by your office with some sort of arrangements with the other agencies.

Col. FLEISCHER. I might go a little bit further. In reading over this transcript yesterday and talking once or twice with Mr. Anderson and also the people in the Department of the Army and also with Secretary Seaton, I came up, I guess, you might say, unilaterally with the same suggestion that we discussed here this morning, that we attempt to salvage as much as we can for your committee.

I think, too, that some of these cases ought to be developed as rapidly as possible so that you can get the maximum benefit from them. I do not think in the month's time you have left you have too long for both the army and our people to help you develop these things, because you do have a problem with the survivors and locating them.

Mr. O'DONNELL. The actual number of cases that were made available to the press as of Wednesday, the 28th, when I was over there, there were thirty-four files that were available to them as of that day. That is the photostats of the complete raw files. Eight more were in the process. That made a total of forty-two, which were as of that day available. Of course, some of those forty-two involve atrocities not from the American POW soldier standpoint, but from a civilian standpoint, cases in which we would not be primarily interested. So there are cases over and above that number, as Mr. Lyons pointed out, and some of them are here. But whether or not it can be worked out so that a stop can be put on those cases being released to the press, I don't know.

Col. FLEISCHER. I don't know either, offhand. I just made a note when you first mentioned that problem here, and I will talk to Mr. Seaton as soon as I go back about the problem with a view to him talking to the people in public information of the army and also the other departments. I can see your point. Certainly if you get ready, say, the day before your hearing, and two or three of the magazines and the other press media pick up either accidentally or on purpose the exact cases you are about to have a hearing on the next day, that is going to be a very difficult situation for everybody concerned.

Mr. O'DONNELL. That is right. There is another thing here, if I may, that is supplemental, but it is something we have been completely lacking in from the knowledge standpoint of the subcommittee staff. What is the specific program of the department, particularly the Psychological Warfare Unit, specifically in the future. We didn't know, for example, as of Wednesday, and this is not in the nature of criticism, but lack of information on our part, that General Dean was going to appear on the TV show. We contemplated the possibility of using Dean ourselves. We did not know that a movie was in the preparation of release. We did not know, of course, that this interim report was being published. We did not know to the extent of it being made available to the press. This is only part of it.

We didn't know that U.S. Steel was going to put on the TV hour show.

Maj. KELLEHER. We didn't either.

Mr. O'DONNELL. You didn't? Well, that was on the other night. We had no breakdown as to the positive program that was under way by the army.

Col. FLEISCHER. If we learn in advance that certain of these people are going to appear on a program, would you like to know that?

Mr. CARR. Yes, if Don could keep a real cooperative liaison with you, as I said before, this is the sort of thing in which we are trying to work together with you, and if Don could be in the position of knowing that, it would be helpful. I think also if he is in the position of giving you any information he has, it should be fully worked out. We don't want the situation to arise again whereby we are caught off base. It seems to me also that the UN was caught off base.

Mr. ANDERSON. It is my understanding that the UN was completely caught off base, Colonel.

Mr. JONES. Who authorized it to happen so fast?

Col. FLEISCHER. I have not been able to determine that as of yesterday.

Mr. JONES. How many cases have not been made public, Mr. Lyons?

Mr. LYONS. I can't give you that answer. As far as being made public, as far as I am concerned, concerning that, everything that has come in has been made available to the chief of information. At least they have knowledge of it. I can't tell you.

Mr. JONES. In your original testimony here, you had mentioned that sixteen hundred cases in the War Crimes Commission in Korea were continually and daily being supplemented, is that correct?

Mr. LYONS. That is right.

Mr. JONES. Have any of those cases been completed to your knowledge since you were here last?

Mr. LYONS. An additional thirty or thirty-five. I think the round figure now is around 110, of which possibly between sixty and seventy involve GIs. Of that group, those in which there are survivors that would be made available to the committee are here, the ones Mr. O'Donnell saw, and one here that the file was not available to me last night.

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Mr. JONES. Will it be possible to have any of those files in Korea brought over here?

Mr. LYONS. We have everything here from Korea that is of any value at the moment.

Mr. ANDERSON. In other words, the cases are as complete as you expect them to be developed at this moment, Mr. Lyons?

Mr. LYONS. At the moment. When they get this information back on Big Switch, and when they can correlate it to what they have over there, there will be a large number of cases, particularly cases of mistreatment in the POW camps. But those cases are months and months away. This report does not touch that material at all, because it is not available. It is coming in from the field very slowly.

Mr. JONES. That is the point I was trying to establish. I think that might be a source of new material that this committee could use, but you say that would be months and months.

Mr. LYONS. For the Big Switch, yes, months and months. For the committee I used seventeen hundred open files, and a batch of closed files that were in the process of being re-examined.

Mr. JONES. Mr. Lyons, what exactly are these ten or twelve files you have here?

Mr. LYONS. These are cases of GI victims, GI survivors whom we think can be made available as witnesses, and the cases are not referred to in this report.

Mr. O'DONNELL. For example, these would be some of the cases that we would like to have stopped that are available to the Office of Public Information and through them to the press.

Mr. JONES. These have been made available to the Office of Public Information?

Mr. LYONS. Some of them have. The chief of information knows that everyone is in the office. Some of them he has photostated copies. That does not mean that they have been released.

Mr. JONES. But they would be released if the press requested that information.

Mr. LYONS. Yes. I couldn't say to you that somebody is not over there this morning right now.

Mr. ANDERSON. Mr. Lyons, in your opinion are these outstanding cases?

Mr. LYONS. I think some of them are very good cases. Some of them are not. I have gone over them very, very roughly. Some of them are good cases.

Mr. ANDERSON. Comparable with the others that have been pointed out to Mr. O'Donnell and made available?

Mr. LYONS. I think they are comparable to three or four of those good cases that Mr. O'Donnell saw. The big march case and the tunnel case, they are not comparable to those two big cases.

Mr. O'DONNELL. There is a possibility that we could still use those seventy-five or seventy-six cases.

Mr. LYONS. I still think you can use seventy-five or seventy-six. There are some good cases here.

Mr. JONES. Mr. Lyons, how long have you had these files here in your possession?

Mr. LYONS. Early in October they started coming in. Wait a minute. I have to go back on that. They started coming in the latter part of September.

Mr. JONES. You will recall the day following our executive hearing on the 6th of October I called you on the phone and asked you for eight or ten of the more outstanding cases, as Mr. Anderson just asked. You gave me those cases or a synopsis of those cases over the telephone.

Mr. LYONS. Yes.

Mr. JONES. Included in those cases were the tunnel massacre, the death march, and a few of the others, which you considered to be the more outstanding cases.

Mr. LYONS. That is right.

Mr. JONES. Those were the cases that were in turn released to the press. These were in your possession at the time.

Mr. LYONS. That is right.

Mr. JONES. You said the more outstanding ones were the ones you gave me which were in turn released to the press which would more or less reduce these to a secondary level in importance.

Mr. LYONS. Yes.

Mr. O'DONNELL. Mr. Lyons did not release it to the press.

Mr. JONES. No, he did not release it.

Mr. LYONS. You wanted to make a quick speech for the senator that day, and I had a report on the desk and gave it to you.

Mr. JONES. I was simply trying to establish the importance of these documents as compared to the others.

Mr. O'DONNELL. If I may, I would still like to go back to the complete program in the Pentagon as affecting the war atrocities because I think it is most important that we be aware of that program from a knowledge standpoint, and be alerted as soon as any aspect of the program comes to light, whether it emanates from the Pentagon or outside source. I think that is one of the difficulties in this unfortunate situation. If we had known that this report was in preparation for at least a month, and apparently it was, it would have given us a different aspect. I would not have been over on any of these fifteen cases that Mr. Lyons made available.

Mr. JONES. That is water under the bridge. Our job here is to salvage something.

Mr. O'DONNELL. That is right, but if we know the complete program, it will help us immeasurably, because we don't know what will develop to offset contemplated plans we might have on a salvage basis.

Maj. KELLEHER. The foreign exploitation will be a continuing thing which falls outside of the domestic public information situation. That will be right down the line on this material that has been released. In other words, the material that is over in the chief of information's office that is available to the American press is by the same right available to the U.S. Information Agency, which carries out the overseas exploitation. So as far as the basic material is concerned, it is exactly the same thing. This is one of those cases, call it propaganda of truth, if you want to, but the story that is told the American people is just as powerful a story to tell on the local basis.

Mr. JONES. Did Dr. Charles Mayo work with you?

Maj. KELLEHER. No. He gets his Washington support from a division of state, which is just called backstopping. They backstop the U.S. delegation from the Department of State here.

Mr. ANDERSON. That is C. D. Jackson's organization?

Maj. KELLEHER. No, sir. C. D. Jackson is the president's assistant on psychological warfare matters, but his activities are with the Operations Coordinating Board of the NSC. Then the OCB in turn assists the deputy secretary of state, deputy secretary of defense, the director of foreign operations, Mr. Stassen, and Mr. C. D. Jackson sits there as the White House representative.

Mr. JONES. What then is General Cutler's position?

Maj. KELLEHER. He is the president's assistant for the National Security Council and the OCB in turn is an arm of that organization.

Mr. CARR. To sum up a little bit here, I think by working through Colonel Fleischer's office we can avoid this sort of snafuing of the information by one agency without the other one knowing it. I think we can avoid that by working through Colonel Fleischer's office.

Mr. ANDERSON. Is that your opinion, Colonel?

Col. FLEISCHER. Yes. I might say that in saying what I did a few minutes ago, where I am actually bringing in a new aspect to our office, on our level with our contact with public information of the Department of Defense, with General Erskine's office, with the army and air force and navy, if the occasion arises, I think we have a better hold on the big picture than any one of the individual departments. This thing is a good example of when we get into a program of this scope, you almost have to have somebody topside who has quick access to all these different arms that are working on one of these programs, and also be able to pick up a piece here and there and fit it all together. Oftentimes in this instance the case was to do it in a big hurry. When it is operating for one department, the army was the action agency on this and will continue to be. As I said before, they have all the files and most of the personnel and so forth. It is a little difficult for them sometimes to know about something that is going on on the defense level or General Erskine's office or the State Department. In the secretary of defense level we have more ready access to that sort of information.

Mr. JONES. Colonel, do you know who gave authority to *Life* magazine to go in there a week ago?

Col. FLEISCHER. No, I do not. On that I only heard about it yesterday afternoon. I heard that they were going to have access to some of the pictures which come out in their issue this week.

Mr. JONES. Who would ordinarily give authority to a publication to come in and see files of this nature?

Col. FLEISCHER. Normally the chief of public information who has the material in his possession. On the other hand, you sometimes have a department, for example, ordnance, that has material on a new weapon or something like that, and they might in turn alert the press to what they have and make it available to them through the chief of public information. So you can't say on every occasion it would be the chief of public information who would make something like that available. Normally he would make it available.

Mr. JONES. Did not the authority who gave that authorization realize that these were the very files that were going to be used by the Senate committee in pursuance of this investigation?

Col. FLEISCHER. That is a point. That is the reason I brought up about the secretary of defense level getting into the liaison in this, because it is quite conceivable that the people who released that information were completely unaware of the committee's interest in the same information, if you see what I mean. It would be like saying that somebody gave something to the Senate Armed Services Committee on a subject that you were working on up here.

Mr. CARR. By handling it on a liaison basis through your office, Colonel, we can check this sort of thing.

Col. FLEISCHER. I hope we can.

Mr. CARR. I know you can't guarantee that it won't happen because things do happen.

Col. FLEISCHER. That is right.

Mr. CARR. That is our best available way of handling the situation.

Col. FLEISCHER. I think so, Mr. Carr. In trying to salvage this thing for you people, we have quite a job to do. The thing that I am primarily interested in is seeing that nothing else happens to this thing. While I am taking on the responsibility in this area, I would rather do that than have this thing jump the track again.

Mr. CARR. Now, as to what can be salvaged from this thing—

Col. FLEISCHER. Could I interrupt you a moment to explain one thing?

Mr. CARR. Yes.

Col. FLEISCHER. In working through my office and Col. Britton, your gentlemen of the staff here, I want you to understand that you can still through Col. Britton and his assistants deal completely with the army. As you are quite aware, they have all this information.

Mr. CARR. Yes.

Col. FLEISCHER. Working through us and now that we are in the public information business, too, if we have an inkling of some other aspect of this thing that is coming up, since we are constantly attuned to your problem here, we can stop the thing. I have done it before. In the last four years I have been in this business we have had many occasions where I have made it a particular point to see that a committee or in a couple of instances every member of Congress was informed of something well in advance of its happening in the Defense Department. That is a part of congressional relations.

Mr. CARR. Now, as to what can be salvaged from this thing, how are we going to work that out?

Col. FLEISCHER. The only suggestion I have to make on the thing is that we try to pick out some of these cases that you people can develop. When I go back I will talk to Mr. Seaton. I know he in turn will talk to the secretary of the army and the information people about withdrawing from circulation those cases which you people feel you have an interest in.

Mr. CARR. What possibility is there of doing something with the cases, particularly the seventy-five or seventy-six?

Mr. O'DONNELL. I think there is a strong possibility depending on what publicity is given to those cases between the time of now and when we have our hearings. If the two major cases, seventy-five and seventy-six, are thoroughly related, their value will be lessened considerably, but there is a strong possibility of using those two cases, and probably three or four in addition to the others that have been available.

Mr. CARR. Is all the information released?

Mr. O'DONNELL. All the summary concerning those cases has been made available to the press by having photostats of the raw files, with certain phases, such as names of survivors, deleted.

Col. FLEISCHER. If I may interrupt, again, I can picture, however, that as a result of the interest focused on this particular document, probably now following up the exploitation of these cases, because I am pretty sure they are not going to let these lie around. So you do have the risk of those being exploited faster than you could ever keep up with them.

Mr. O'DONNELL. That is right.

Col. FLEISCHER. Don't you agree, Mr. Lyons?

Mr. LYONS. Yes, I do.

Col. FLEISCHER. Once you give the press something to start working on, that is what happens. We get several of the out of town papers in the office, and I think it was yesterday's *New York Journal American* which carried a feature article by one of the CIC officers, a detective of the New York police force, and they immediately grabbed him and ran a feature story on some of the cases which he had investigated.

Mr. LYONS. That is something you can't control, the investigators back in civilian life.

Col. FLEISCHER. But they probably got the lead from that report.

Mr. O'DONNELL. Or anybody who wanted to could go to the press, and for a couple of hundred dollars give them the story.

Mr. ANDERSON. Colonel, do you have any knowledge that further releases are contemplated on this same problem?

Col. FLEISCHER. I have no personal knowledge of it.

Maj. KELLEHER. I think in that respect it is pretty safe that the secretary of the army's release on that subject will be the only one that is an official Department of Defense release. The exploitation follows, of course. If they follow past practices, there is one release on it which is in the form of an announcement.

Col. FLEISCHER. I will make a note of that.

Mr. LYONS. I would like to offer for your consideration, Mr. O'Donnell, that we gave some consideration to cases not where there was a survivor, but where there was a witness. Take this particular case [indicating].

Mr. O'DONNELL. I see no objection to that as long as U.S. soldiers are the victims.

Mr. LYONS. We had ruled those out because it was a witness and not a survivor.

Mr. O'DONNELL. We want primarily American troops to testify.

Mr. LYONS. There are a couple of others of the same nature. We have another case I think we could use where a medic found the bodies. He was not a witness at all, but his testimony would be worthwhile.

Mr. O'DONNELL. I think we definitely should consider those cases in the light of what has happened.

Mr. CARR. Bob or Ray, to make the best of this situation I think we should consider the possibility of a release by the Department of Defense of some sort of a story or some sort of information to the effect that Senator Potter's probe into this matter is still going on, that Senator Potter is being furnished with information which has not been made available, and that his probe will disclose additional information. What thoughts do you have along that line?

Mr. ANDERSON. I think that is important. You will recall at the executive session on the 6th, the senator said, "I think one of the main purposes of this committee will be to get the greatest psychological value we can from the hearings."

It is my opinion on behalf of the senator that if the Department of Defense, in a news release, points up what you have suggested here, it will fit into the program fully here to emphasize the hearings that will take place early in December.

Col. FLEISCHER. We better have a little discussion on Monday with you people to see what approach we are going to use. The reason I say that is because I think that is an excellent suggestion, but I think we have to make sure it is carefully worded for this reason. We do not want to start pressing about trying to beat you to the punch on some of these cases.

Mr. ANDERSON. It was not my feeling that a release to that effect ought to be made immediately.

Col. FLEISCHER. No.

Mr. CARR. No, that is right. From reading many of the news stories on this thing, there is a definite impression left with me that Senator Potter is entirely left out of the picture.

Mr. ANDERSON. That is right.

Mr. CARR. I think that should be corrected.

Mr. JONES. I think it ought to be clearly established, Colonel, in this release that all future pronouncements on this subject will be made by the senator and the Senate committee.

Mr. CARR. I would say the senator.

Mr. O'DONNELL. Isn't it true it has reached a stage where press inquiries are being received?

Mr. ANDERSON. Yes, they are constantly coming in.

Col. FLEISCHER. Did you see the last paragraph of the *Star* story? I just happened to notice it this morning. I wonder if that was supposition on the part of the press.

Mr. JONES. That was yesterday's *Star*?

Col. FLEISCHER. Yes. That provides a little lead to develop whatever time you consider appropriate.

Mr. JONES. That was the only paper in which it was carried.

Col. FLEISCHER. Yes, I noticed that.

Mr. CARR. Just repeating myself again, but it gets right back to the point that Senator Potter is not trying to grab the thing. He wants to be a part of the thing and coordinate with the department. I might say on behalf of Senator Potter—I don't know whether he would say it himself—we don't intend to see him coordinated right out of the picture.

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Mr. ANDERSON. The senator made very clear at the close of the hearing on October 6 that he was working very closely with the Department of Defense.

Mr. CARR. Yes.

Col. FLEISCHER. I noticed that in the transcript.

Mr. ANDERSON. That does not appear to be evident.

Mr. CARR. I think in connection with this proposed release some time in the immediate future, not today or tomorrow, the release should be worked out primarily, Ray, through you or with you, so that the senator can be closely advised as to what is in this thing.

Mr. ANDERSON. That is right.

Mr. CARR. I think the terms of the thing can be worked out. There won't be any real problem on that. That I think will salvage some of the problem here.

The other points, as to the actual cases and what we can salvage from the already released cases, Don will work out with your office, Colonel, and with Mr. Lyons.

Mr. ANDERSON. I think that would have to be done quickly.

Mr. CARR. That is right. I think you should take under advisement this problem of further release of additional cases, and consider the advisability of whether or not the extent of the release should be cut off at any certain point, realizing, of course, that you can't withdraw ones you have released, but consideration should be given to that. Unless you have any further points on this thing, Ray, to bring up—

Mr. ANDERSON. It is my understanding that Don will immediately get together with Mr. Lyons to segregate these cases that can be used. Is that your understanding?

Mr. CARR. Yes.

Col. FLEISCHER. I think that would be the first step to really get your hand on what you want to start working with; the rest can be dovetailed into just exactly what you want.

Mr. LYONS. You will be changing the department flow. We are under instructions to do all of our coordinating through Mr. Haskins.

Col. FLEISCHER. When you get to the department, I will have to work that one out.

Mr. O'DONNELL. I would say probably the first step would be to find out exactly how many files have actually been made available, and whether or not those that have not been made available can be withheld. Then let Mr. Lyons and I take it from there as to what cases are available and which are the more immediate of those cases.

Maj. KELLEHER. When you get that set of files selected for this committee determined, I would like to have that, Mr. Lyons.

Mr. LYONS. Yes.

Mr. ANDERSON. When do you think, Colonel, that we could get together on this release? In other words, I assume you are returning to talk to Secretary Seaton about this whole problem.

Col. FLEISCHER. Yes.

Mr. ANDERSON. What is your suggestion with respect to issuing the release and working that out between us?

Col. FLEISCHER. We can do that some time the early part of next week. Whatever time you think is best. We could start in on it, and

have it all ready for release at any appropriate time, but I would suggest we get together with you in the early part of next week.

Mr. ANDERSON. You are likewise going to take steps, as I understand it, Colonel, to avoid any further releases from the various departments.

Col. FLEISCHER. I have that double checked and marked all over it on this paper.

Mr. JONES. I assume your contacts in that direction will involve finding out who the authority was who released this?

Col. FLEISCHER. I would prefer not to go that far.

Mr. JONES. At least that person should be informed by memorandum, or something.

Col. FLEISCHER. I think so.

Mr. CARR. Do you have anything further, Bob?

Mr. JONES. No.

Mr. CARR. Concerning this release, I am particularly anxious that it be handled through you, Ray, because I want the senator to be fully posted on it.

Mr. ANDERSON. That is right.

Mr. CARR. Concerning the cases, Don, you will immediately be in contact with Mr. Lyons on this problem.

Mr. O'DONNELL. That is right.

Mr. CARR. I think we can salvage something from this thing. I think we can come up with something that will be very good. I think the whole situation, as it has developed, has been unfortunate. I know Senator McCarthy feels that it is unfortunate. I think that Senator Potter feels it is unfortunate. As I said before, we do not want to be in the position of complaining, yet on the other hand we want to be sure that you understand our position on the matter. We do feel that something has been really snafued on this coordination of his activities with the program. We now have that behind us, and we are now trying to reestablish the cooperation that we wanted to establish in the first place.

Mr. JONES. Just one other thing, Colonel. I wonder if we may have from the secretary a letter to the senator designating yourself as liaison to this committee. I ask this in view of the fact that a liaison was named at the last meeting of this group, and you yourself said you were named today. For the record, and for the senator's information, if we may have a letter from the secretary, it would help establish responsibility and authority.

Col. FLEISCHER. Yes.

Mr. ANDERSON. Is it your opinion, Mr. Lyons, that worthwhile cases can be developed for the hearings?

Mr. LYONS. I am of the opinion that we can develop worthwhile information for the committee for this public hearing on the 10th of December? I am going a little bit further. I honestly believe when we finish by working with Mr. O'Donnell, you can say that no harm has been done. I think we can put that over.

Mr. ANDERSON. Is it also my understanding, Colonel, that such cases will not be made available to the press prior to the hearing?

Col. FLEISCHER. When I go back, Mr. Anderson, I will tell Secretary Seaton the results of this meeting, and my belief that we should withdraw from circulation those cases in which you are interested and prevent new cases from being made available until we

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have had a chance to discuss it with you people. I hesitate to go so far as to say that these will not be released, because I am a little bit apprehensive that the press may have gotten hold of a couple of these already through circumstances which we just discussed. I will assure you of doing everything I can with Secretary Seaton and the people over there to see that your interests are protected.

Mr. ANDERSON. I think that is all.

Mr. CARR. Thank you very much, gentlemen.

[Thereupon at 11:30 a.m., the executive session was concluded.]

KOREAN WAR ATROCITIES

[EDITOR'S NOTE.—1st Lt. Henry J. McNichols, Jr.; Pfc John E. Martin; and Sgt. Carey Weinel testified in public on December 2; Sgt. Barry F. Rhoden on December 3; Capt. Linton J. Buttrey, on December 3 and 4; and Col. James M. Hanley and Capt. Alexander G. Makarounis on December 4, 1953.]

MONDAY, NOVEMBER 30, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met at 10:30 a.m., pursuant to notice, in room 357 of the Senate Office Building, Senator Charles E. Potter, chairman of the subcommittee, presiding.

Present: Senator Charles E. Potter, Republican, Michigan.

Present also: Robert Jones, research assistant to Senator Potter; Francis P. Carr, staff director; Donald F. O'Donnell, assistant counsel; Robert J. McElroy, investigator; Ruth Young Watt, chief clerk.

Senator POTTER. Gentlemen, before we proceed I would like to say again I am most appreciative of the cooperation of the army and those of you who are now civilians and working with us on this investigation.

You are not being investigated. I want to make that clear. We are calling upon you to aid us in an investigation of the enemy which we have been fighting. You can feel free to make as complete a statement as you care to. This is a closed hearing. Nothing you say here this morning will be known to the press.

We plan on holding two days of executive session. This is not for publication as yet but we are planning to hold open hearings beginning Wednesday morning. The open hearings will be much similar to the hearings we plan on starting today.

I am sure you have been advised by the military personnel here that you can speak freely. I think the only requirement that they have made is that you not mention a person's name who has suffered atrocities. You can tell about the incident and you can tell his rank or whatever that may be. But don't mention his name. The same thing is true with any aid you might have received from Asiatics; don't disclose their name. But outside of that, that is the only security restriction that you have.

If, during the course of the testimony, something of a security nature should come up, we can easily take care of it here in executive session without your violating any security code.

We will call Lieutenant McNichols.

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STATEMENT OF 1ST LT. HENRY J. McNICHOLS, JR.

Senator POTTER. Lieutenant, we do not want to put a man in the military under oath, so we don't have to worry about that. Your word is sufficient.

First, if you would identify yourself for the record, Lieutenant, and give your full name and your present assignment?

Lt. McNICHOLS. Henry J. McNichols, Jr., First Lieutenant, 0-228401, Infantry School Attachment, Fort Benning, Georgia.

Senator POTTER. Where is your home, Lieutenant?

Lt. McNICHOLS. As a professional soldier, actually I was born in St. Louis.

Senator POTTER. You are regular army?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. Lieutenant, what unit were you assigned to in Korea?

Lt. McNICHOLS. Company E, 5th Cavalry Regiment, sir.

Senator POTTER. When did your unit first go?

Lt. McNICHOLS. My unit arrived in Korea, Pohangdun, 19 July 1950, and I went in first as a weapons platoon leader of Easy Company E and became the company executive officer, and I was captured—do you want me to go through this?—I was captured on the 10th of September 1950 in the vicinity of actually a little north of Hill 203 in the vicinity of Taeju.

Senator POTTER. Can you point out the approximate vicinity on the map right behind you?

Lt. McNICHOLS. Yes. It was approximately here, near Taeju.

Senator POTTER. That was during the major flurries of the North Koreans, wasn't it?

Lt. McNICHOLS. Yes, sir, the UN defenses there.

Senator POTTER. Right up to the Pusan perimeter area?

Lt. McNICHOLS. My unit was in the town of Waxwon and along the Naktong River we pulled back from there about the 5th of September, succeeding pulling back about a mile the first time, the second time possibly a mile or two miles; but actually about three miles south of the town of Wagwon, it is.

Senator POTTER. At that time you were commanding Easy Company?

Lt. McNICHOLS. No, sir, I was executive officer.

Senator POTTER. Company E executive officer?

Lt. McNICHOLS. Yes, sir.

The night of 10 September I was separated from my unit, and we pulled off a hill and I went back up on the hill to try to get a wounded man off; I think I walked into an ambush. They had a habit there, if you ever did have occasion where there was a wounded man behind, they would jab him with a bayonet to make him scream and before we got him off, I walked into an ambush.

I was separated from my unit, and the Americans had pulled on back then I was in between, and in fact actually the way I came off this hill I ended up to the rear of their lines. The next morning I became a member of the North Korean Army then, and they had me from the 11th actually, caught me the morning of the 11th and they had me until the night of the 20th.

Senator POTTER. Were you captured by military personnel or by civilians?

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Lt. McNICHOLS. By military personnel, North Koreans. I don't know what units or anything that I was mixed up with. They kept me ten days.

Senator POTTER. Did they keep you in that vicinity?

Lt. McNICHOLS. Yes, approximately about a five-mile square area there.

Senator POTTER. Were there other PW's with you?

Lt. McNICHOLS. No, sir, I never ran into another PW. However, they did show me a lot of AGO cards and not dogtags or anything, but AGO cards and class A passes and what have you that did belong to other soldiers.

Whether they got them off bodies or not, I don't know. They did have these psychological warfare sheets and they used to have a picture of the officer, usually up in one corner there saying "stay out of the capitalistic war," and then signed by the man, and his name and rank and unit down there. They showed me quite a few of those, also.

Senator POTTER. You say they had a picture of an officer, an American officer?

Lt. McNICHOLS. Yes, sir, Lieutenant Granberry, who never showed up on the list.

Senator POTTER. And that was one of those confessions?

Lt. McNICHOLS. So-called, yes, sir.

Senator POTTER. That it was an imperialistic war and that was the nature of it?

Lt. McNICHOLS. Yes, and stay away from MacArthur, the war-monger. They did make me broadcast one day, and they gave me one of those, and we wrote it to place my name and I was supposed to read my name where the other man was and they had a loud speaker set up. Actually it was in a South Korean sector where it was, a little to the right of where the First Cavalry Division was when I was there. And I read this thing.

Senator POTTER. Was that in the same area?

Lt. McNICHOLS. Yes, sir, it was all back in the same area.

Senator POTTER. What pressure did they use on you to get you to broadcast?

Lt. McNICHOLS. Well, first of all I had them believing I couldn't read, and then they found out—I guess they figured all officers were supposed to read or something—and finally the colonel came up and said you will broadcast. We fooled around and when they finally did take me, they had me with one unit and they handed me over to this propaganda outfit, and we went up into a farmhouse, actually a regular North Korean hut, or South Korean in that case, and they had a generator and a regular sound system and they gave me the thing and told me to read the thing.

Persuasion, they stuck a pistol at my head; but that first five days I got a lot of that.

Senator POTTER. They put a pistol to your head which implied if you did not do it, you were not long for this world, is that true?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. Do you know whether that type of broadcast, was that heard by Allied troops?

Lt. McNICHOLS. To the best of my knowledge; no, sir. I have talked to a lot of officers that have come back from there, and no

one heard it, and well, I sound like Seoul City Sue, if you ever heard one of her broadcasts; a dead, low monotone, and I did the same thing. In fact, he was afraid I was talking too fast and by the time I got finished my own brother wouldn't know who was broadcasting. At the beginning I was supposed to say "I am Lieutenant McNichols." I said "I am a lieutenant" and I went on from there. So I didn't identify myself over it.

Senator POTTER. How long a document was it?

Lt. McNICHOLS. Sir, it wasn't but a piece of 8½ by 11, regular typewriting paper, Korean type, that is what it was. I wouldn't say it was over 250 words.

Senator POTTER. Did that ask for other soldiers to surrender?

Lt. McNICHOLS. Yes, sir, to stop the capitalistic Wall Street fight and that kind of stuff.

Senator POTTER. Do you know whether that was recorded or not?

Lt. McNICHOLS. No, sir, it couldn't have been. The loudspeaker set-up they had, we use them at the Infantry School and I am sure you have seen one. It is a generator system and then the sound box, actually it was stamped USIS, and they must have got it around Seoul. They had two loudspeakers and that was back here by the farmhouse and I couldn't even hear the thing going on. I could hear it away out in the distance.

They had a couple of girls there in this propaganda outfit and they used to sing songs and then the various propaganda about coming over and join our side and I didn't understand Korean, but I imagine that is what they were putting up there.

Senator POTTER. How long were you in this area?

Lt. McNICHOLS. Well, actually, sir, they only had me ten days altogether, and in that ten days I stayed right around in this more or less immediate area. Actually there was an enemy regimental or division CP, and I was questioned by four or five people there and then turned over to this propaganda outfit and when I was turned over to the propaganda outfit we actually bore southeast.

Actually we were going to the right of Wagwon, and we got that one broadcast in and they wanted to do it again, but the Americans were pushing them too hard and they never got a chance to set it up again.

Senator POTTER. What else happened to you during that period?

Lt. McNICHOLS. Well, as far as the treatment went, there was never—they scared me quite a few times there with the various cases of the pistol flashing and so on, but I ate the same thing that the Koreans got around there and we had a bucket of rice.

About that time the rains had started and their underwater bridge across the Naktong River then was about out of business and they weren't getting any supplies either, and they were hurt just about as bad as I was.

To the last night I actually had good treatment.

Senator POTTER. Did they beat you at all?

Lt. McNICHOLS. No, sir. The first day they had me they walked me into the rear, that night, and put a load of rice on my back the next morning and I walked that up to the front line troops, which I think is a violation of the rules of warfare.

Senator POTTER. They used you as a supply carrier for their troops?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. What happened in the last day?

Lt. McNICHOLS. Well, the last day the Americans had started to break out from Pusan and the rest of them had come in at Inchon, and we had been in actually a ravine right outside of this Korean area there and we stayed there until approximately 5:30 or six o'clock when it got dark, at which time they wanted to cook and started a fire.

Usually when I left I had about seven or eight prisoner chasers on me, and one at either side and one at the foot and one outside the door, and my case of trying to get away, it was a little too late then. I was pretty well covered.

Senator POTTER. Were you confined then in a house of some kind?

Lt. McNICHOLS. Actually put in a house, sir, and put in there usually at dark, and brought out again in the morning when we would go and hide some place from the air force and the artillery spotter planes.

At any rate he woke me up, and I went to sleep, and he woke me up about eight o'clock at night and I heard, or later found out it was a jeep that hit a land mine and I heard a lot of Americans yelling. But I didn't have any idea what it was, and this lieutenant came and got me and the rest of the unit there—there were about nineteen in all—and took us up to the top of the hill and he told me to sit down and be quiet, at which time he tied my hands behind my back and further tied my hands then to a tree, and then went up actually to the lip of this hill. There were actually two hills, and the shorter and then the main peak of this hill; I was in a gully right in between. The First Cavalry stopped at the first peak. They started up with a good yell, and there wasn't much artillery fire, and all of the Koreans ran out with the exception of this lieutenant. He came over and shot me then.

Senator POTTER. While you were tied?

Lt. McNICHOLS. I was tied to the tree, yes, sir.

Senator POTTER. In other words, your hands were tied behind your back, and then that was that you were also tied to a tree?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. Were you alone at that time?

Lt. McNICHOLS. Yes, sir, I was the only prisoner that they had, the only American prisoner that I saw in the whole time that they had me.

Senator POTTER. It was a North Korean officer?

Lt. McNICHOLS. Yes, sir, a first lieutenant.

Senator POTTER. Was he right up beside you when he shot you?

Lt. McNICHOLS. About four feet from me, I guess.

Senator POTTER. Did he pull out his pistol?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. How many shots did he fire?

Lt. McNICHOLS. Well, I only remember one. However, I ended up with four bullet holes; four in and four out. I imagine the first one, I got shot through the mouth and I remember my mouth and my nose running, and I imagine the first one I got through the mouth.

Senator POTTER. Did he assume that you were dead?

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Lt. McNICHOLS. Yes, sir, I think I did a pretty good job of playing dead then, and all I remember was seeing the sparks, and my mouth and my nose running. That was all I remember until I woke up about, I guess I came to about, four o'clock in the morning and I started yelling then. The soldier didn't come out and get me because of the same fact of this using of wounded for ambush purposes, but at daybreak they did come out and get me.

Senator POTTER. When did the shooting take place; what time of the day?

Lt. McNICHOLS. Approximately ten o'clock at night, sir, and it would have been the 20th of July, 1950.

Senator POTTER. And you were recovered by our troops then on the following morning?

Lt. McNICHOLS. Yes, sir, about 7:15, 21 July.

Senator POTTER. Where else were you hit besides in the mouth?

Lt. McNICHOLS. Two of them went in the neck, and one in the shoulder, and I was shot through the leg the day they captured me. I didn't get my medical treatment from them because I don't think they had any. However, they all looked at it, and they got some water out of a stream there and rinsed it off for me. But no other form of medical aid.

Senator POTTER. What type of pistol do the Communists carry?

Lt. McNICHOLS. It is not tovarisch, it is the only piece of equipment that they had that didn't have a hammer and sickle on it, that I saw, even enemy equipment.

Senator POTTER. Most of their military equipment?

Lt. McNICHOLS. Everything I ran into with the one exception which was an officer's pistol, and I did run into one guy with a Mauser, and he put that at my head and he said he liked my shoes and I was without shoes for the rest of the time.

Senator POTTER. When you were captured, they took your shoes?

Lt. McNICHOLS. After a day, yes, sir.

Senator POTTER. Did they take any other articles of clothing?

Lt. McNICHOLS. Yes, sir. When they frisked me they got everything out of my pockets, and I got shot through the pocket, and I had a Rosary and my wallet; I had an AGO card, and identification card and a scapula medal and that is all. They took all of that, and just peeled it right out.

Right after that some guy grabbed me and took my dog tags off, and one time there I got into a Korean house and I found a pencil and a piece of paper. I started to write my name and address and stuff it in my pocket and they caught me at that and took it off my pockets.

Senator POTTER. Did you have any jewelry on you; a ring or anything?

Lt. McNICHOLS. No, sir.

Senator POTTER. Or watch?

Lt. McNICHOLS. No, they were disappointed about that. I had a busted fountain pen and they were put out that I didn't have a wristwatch or a cigarette lighter.

Mr. O'DONNELL. Did they take your clothing away?

Lt. McNICHOLS. No, sir, they didn't. In my case, they got my shoes and they gave me first some of these, they looked like Keds, and I guess they were about four sizes too small, and then I ended

up, I went to a good house in one, or Korean house, and I found they look like rubbers and they hook about here and back here, and they are very hard to walk in and very hard to keep on. But I did use those the rest of the time.

I had the army wool cushion socks which came in very good and for a time I walked in my stocking feet.

Senator POTTER. What time of the year?

Lt. McNICHOLS. It was September of 1950, and it was just before the cold weather.

Mr. O'DONNELL. It was prior to the cold weather?

Lt. McNICHOLS. Yes, sir.

Mr. O'DONNELL. Could you describe exactly in detail, Lieutenant, the manner in which you were tied to the tree?

Lt. McNICHOLS. Well, they got me out of the house and we went up to the top of this hill and they told me to come with them. So we got up there and this Korean first lieutenant couldn't speak any English, nor could I speak any Korean. However, with the colloquial Japanese between the two of us he informed me to stay where I was and keep quiet.

However, he had rice linen, that white clothing which a lot of them and quite a few of the soldiers they use it actually to keep themselves warm and they could always throw it off and look like a civilian. He took strips of that, then, and made it into one long strip, and then tied my hands behind me and made me sit down, and then tied me to the tree and told me to stay there and he would be right back, and to be quiet while he was gone.

He went then actually up on this lip of the hill, and when the Americans started up the hill, all of the soldiers ran out and took off north, and none of them came anywhere near me. However, this guy did go by.

Mr. O'DONNELL. You are speaking of the North Koreans?

Lt. McNICHOLS. Yes, sir.

Mr. O'DONNELL. Actually you were tied; your hands were tied behind your back and then you were later tied to the tree?

Lt. McNICHOLS. Actually, it happened all at once, and first he tied my hands behind me and made me sit down and then whether he put the bindings to my hands to tree or not, I don't know.

Mr. O'DONNELL. What would be the reason as far as you know, or do you know, the reason for the shooting?

Lt. McNICHOLS. The only thing I can think of is just the Oriental point of view. We shoot them and he doesn't come back and fight us again. And in my case there I would have undoubtedly fallen into American hands at that time. This is hearsay evidence, but we had a company in my battalion who at one time I had been a platoon leader over there, but not at the time, that they shot the whole company of them, twenty-eight or twenty-nine. They captured them, and when we organized a counter-attack, immediately when we started into the thing, they lined them up in a ditch and shot them. The only thing we can figure is that they will kill us so we cannot come back and fight.

Mr. O'DONNELL. How long did it take you to recover from your wounds?

Lt. McNICHOLS. Six months, sir. I went back to duty the 9th of March 1951.

Mr. O'DONNELL. How long were you actually hospitalized?

Lt. McNICHOLS. Actually, sir, I was in the hospital until 9 March 1951, until I was released from Fort Sam Houston, Texas.

Mr. O'DONNELL. What condition are you in today, Lieutenant? Do you have any reaction from those wounds?

Senator POTTER. First, have you gone before the board as yet?

Lt. McNICHOLS. I am trying to make the regular army, but I was disqualified because of wounds, but I do have a profile change, and I am getting hard of hearing in this ear, rather, and I have got what is known as a horn. I don't sweat on this side of my head and I do sweat on this side of my body, and this lid doesn't go all of the way up and this pupil is smaller. Actually I went from astigmatism to farsightedness.

Senator POTTER. Where did the bullet enter your head?

Lt. McNICHOLS. One of them came in here, in this dimple and came out over here, and two of them went in right here, and one came out down here and one back here; and the other one was through the shoulder there.

Senator POTTER. What is your regular army profile now?

Lt. McNICHOLS. I have got two two's, one on my shoulder and two on my hearing.

Senator POTTER. All of the rest are one's?

Lt. McNICHOLS. Yes, sir.

Mr. O'DONNELL. For the benefit of the civilian, what is a two and what is a one?

Lt. McNICHOLS. A one is a warm body ready for duty; and a one is actually, according to the army standard now, and the army standard would actually vary depending upon whether it is an all-out situation or a peacetime again, such as we have now.

Two is in the case of my right shoulder, a weakness in it, and not a full ability to pull a full weight with it. When you get up to three's and four's, then it is these guys who are crippled, and in fact I had a friend who has a wooden leg and they gave him a four on his leg.

Mr. O'DONNELL. Actually you are useful to the army—your usefulness hasn't been impaired apart from your physical suffering?

Lt. McNICHOLS. No, I don't think so. I can still carry a rifle and squeeze the trigger.

Senator POTTER. Lieutenant, you have seen the enemy at first hand and you witnessed their attempts of indoctrination. I can ask you the question for your opinion, and you do not have to answer it unless you want to: Do you think that the Communists in the United States are different than the Communists that you were fighting in Korea?

Lt. McNICHOLS. Do I have an opinion, Colonel? Actually, we don't have any opinions. Let me make a statement. We have a board of officers and we ask not to write these things. When I came back to the States in 1950 I was one of the first returned prisoners and we had an occasion in St. Louis, there of two or three women put an ad in the paper to get our sons home from Korea, and what have you.

I got very browned off and wrote to the paper and told them to cancel my subscriptions. However, I found out later that that was going on all over the states and they are organized.

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Senator POTTER. I had some visit my office.

Lt. McNICHOLS. They probably know a lot more about you than your wife does.

Senator POTTER. I am afraid they do.

I think in order that the record may be complete, what happened after you were tied to the tree. You say that you were rescued in the next morning and just how did that happen? Can you go into more detail how that came about?

Lt. McNICHOLS. Well, the soldier who came out and cut me off got killed about three or four days up the road, unfortunately. However, I have run into quite a few who heard me out there yelling all night. As soon as I came to, I could hear some sound out there and of course I didn't know who it was and the only Korean word I knew was "Oiy" which means either, hey you, or something like that. So I yelled "oiy" and "help" the rest of the time and I was having quite a time as far as my mouth was concerned. I got about six teeth that were running loose in my face and I was spitting those out and so on, but I sat there and yelled.

Senator POTTER. You were still tied to the tree?

Lt. McNICHOLS. Yes, sir, and they heard me. However, they waited until about daybreak when they came out and got me and they brought a litter and actually the man with the Carbine bayonet which is a pretty sharp piece of merchandise, usually you will find them a lot sharper than the M-1 bayonet, he spent almost three or four minutes cutting all of that stuff off to get me off the tree. He did quite a tying job on me.

Senator POTTER. Were you rescued by your own unit?

Lt. McNICHOLS. No, 1st Battalion, 7th Cavalry.

Senator POTTER. Then you were evacuated immediately to Pusan?

Lt. McNICHOLS. Yes, sir, I went to the regular evacuation channels, and they ran me down to the bottom of the hill and back again.

Senator POTTER. And you arrived back in the States when?

Lt. McNICHOLS. I got back in the States the 18th of October 1950. I stayed in the Tokyo Army Hospital for twenty-three days and whether the fact I had head wounds and they wanted to let them dry out before they shipped me or not, I don't know, sir.

Senator POTTER. Are you now on active duty?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. The question I asked you about whether you felt your opinion of American Communists—I am sure that the military has no objection to you expressing an opinion on that if you care to do so. I will tell you frankly the reason I am asking this question. You will find many people today in our own country who have an idea that the Communist party of the United States is a political party, and that is something entirely different from communism elsewhere. One of the purposes of the hearing is to let the people know the type of enemy that we are fighting.

While it is true that the killing has stopped in Korea, the war hasn't stopped as you well know, and the war is still in a cold stage at the present time, but the war between communism and free people is still in effect.

I think no greater service can be rendered than by people like yourself, Lieutenant, and others, who have seen the enemy firsthand. This is not newspaper accounts or some fuzzy-thinking professor, but you have seen the Communists firsthand, and if you have strong convictions towards it I am sure military personnel would have no objections to you expressing it.

Lt. McNICHOLS. I have never had any dealings, that is trouble, and you don't know whether you would have dealings with a Communist, and you don't know whether your best friend is one. I am a Catholic, also, and in my case where I went to school communism was recognized way back in 1937, probably long before that, and so we were always instructed in that affair. Actually in our case, in the case of a Catholic, his religion in itself, has been fighting communism as long as it has been going on over there.

Senator POTTER. That is true.

Lt. McNICHOLS. However, if we get an opinion, if they can run them out of business we have got a tendency to be too soft.

Senator POTTER. Is it your opinion that the Communists of the United States receive their orders from the same source as the Communists of Korea or China or wherever it may be?

Lt. McNICHOLS. I don't think that there is any doubt of it.

Senator POTTER. Colonel, do you have any questions that you would like to ask?

Col. HANLEY. Due to the short time that you were held by the enemy, I don't presume they tried to put out any propaganda efforts?

Lt. McNICHOLS. I did get a quizzing by a political officer, some rather fantastic questions at times. They wanted to know if my father was a worker or capitalist, and they were particularly interested in the amount of time I had in the service. And they called Harry Truman a rascal and MacArthur a war monger, and they had a set up.

The thing they tried to get out of me was my home address. I told them my mother and father were dead and I had no family, and let it go at that and they never pressed it, the fact that they didn't get my home address out of me in that respect. But they were decidedly looking for the home address, there was no doubt of that. Seoul City Sue did declare me dead on her program, but the only thing, when I got promoted to 1st lieutenant and I left the orders in the CP and they might have found that order and some of my mail that was up there in a bag.

Senator POTTER. Did Seoul City Sue—is that the Korean equivalent of Tokyo Rose?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. In the broadcast when she said you were dead, did she know you were alive?

Lt. McNICHOLS. Actually, it happened about, they picked a broadcast up in Japan, some of the people over there, some of the wives heard it; I didn't hear it and I think it happened during the time I was a prisoner and she called me Nichols instead of McNichols, but she had the right serial number and the Second Battalion and she had quite a bit of information. Therefore I think the way she got it, she must have found some mail or they found this promotion order. That is the only thing I can figure.

Senator POTTER. Are there any further questions?

Mr. O'DONNELL. Lieutenant, after you were shot and regained consciousness, and started to yell, it was quite some time and it was nearly daylight until you were actually rescued by our forces, and now the reason for them not coming to rescue you sooner, I think you mentioned, was because they were afraid of an ambush?

Lt. McNICHOLS. Yes, sir.

Mr. O'DONNELL. Was it a common practice to use a captured PW as bait to get our boys to come into an ambush?

Lt. McNICHOLS. I don't know whether in the other outfits, I can only speak for my own experience, we did have occasions where they worked over the wounded. In the cases we did come over a hill and a man was wounded when we came down the side of a hill and they would get him or any of these stragglers, and in one case of pushing him with a bayonet and making this guy scream. Now, the one I went up after, I talked to some other, a sergeant in my company, and they went up the next morning to try to find me and they did find a boy's body and he had been both stabbed and shot.

Mr. O'DONNELL. You would have to assume that they forced him to yell?

Lt. McNICHOLS. He was yelling, there was no doubt of that.

Senator POTTER. And then they killed him?

Lt. McNICHOLS. Yes, they probably did.

Senator POTTER. He was found dead?

Lt. McNICHOLS. It was very dark, and there was a moonless night, and I don't imagine I was more than five yards from him when I did walk into this ambush, and actually there were just four of us coming together in the dark; three North Koreans and myself, and that was it.

Senator POTTER. I would like to also go back to questioning by the political interrogator when he asked you if your father was a working man or a capitalist.

Did they ask you whether you owned an automobile?

Lt. McNICHOLS. They wanted to know who owned the jeep in the company, and the argument was that a company commander had to buy his own jeeps in there and they were curious about that.

One other thing might be for your interest: While I was a prisoner, I had occasion to meet one who wanted to come over to Westinghouse and study how to be a sound engineer.

Senator POTTER. One of the North Koreans?

Lt. McNICHOLS. He was from Seoul some place or other, and my number one prison chaser has been a bartender in an officers' club in Seoul, and a houseboy for a lieutenant colonel up there. The first time that I was quizzed by this colonel, this guy was interpreter, and I got talking to him in strictly the Brooklyn colloquialisms and I said "you have been a bartender in some officers' club," and a couple of days later he admitted he had been.

Quite a few of the North Korean soldiers still had drivers' licenses from the 219 Battalion in Seoul.

Senator POTTER. Do you have any notion as to whether they were Communists by indoctrination or whether they had been forced to fight with the North Koreans?

Lt. McNICHOLS. I had quite a few that used to come up, and say "Capitalistic Dog" and so on, and one kid—he was strictly a kid,

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I think he was about seventeen years old—wanted to come over to Westinghouse, and I think he was going where the rice was at the time. What his bargain was and so on, they used him for an interpreter and I remember we got a big harangue from some colonel and he sounded about as bored as I was when he interpreted the thing about the warmongers and what have you.

But the great majority of them there were decidedly Communistic, and there was no doubt of that, and decidedly indoctrinated.

I ran into another one who got thrown out of Seoul in 1946 and was going to the University of Seoul, and he got thrown out of school and I think out of South Korea for his Communistic leanings. They used him for an interpreter when I was in this regimental or division CP.

Senator POTTER. Was he an officer?

Lt. McNICHOLS. Sir, I don't know, he never wore a shoulder board and I imagine he was, though.

Mr. O'DONNELL. The only suggestion I have, when we go into public hearings, it is for the benefit of civilians and will you spell out the terms?

Mr. CARR. Lieutenant, this lieutenant that actually fired the shots that hit you when you were tied to the tree, was that as far as you could determine, an individual action? Everybody else, you say, was getting out of there.

Lt. McNICHOLS. It looked decidedly like an individual action because this colonel that was with this propaganda group, I hadn't seen him for better than two days and this lieutenant was in charge of the bunch, and it seemed to be an individual action that he did himself.

Senator POTTER. Was this lieutenant in charge of this group?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. So that actually he was the commander of the group that did it?

Lt. McNICHOLS. Yes, sir.

Senator POTTER. It wasn't just an individual soldier?

Lt. McNICHOLS. It was the commander, himself.

Senator POTTER. Do you know his name?

Lt. McNICHOLS. No, sir, he didn't speak any English, and I spoke very little Japanese, and about the only way we could do it was through Japanese and he didn't have much to do with me, and I could sit there and look him right in the eye and he would turn away. The one I was telling you about, the sound engineer, he and I got to be great buddies, and he actually helped me out. I don't know where he used to do it, I was the only one who was smoking cigarettes and he would go out there and get them for me. The lieutenant was very uncommunicative and decidedly a Prussian type of officer and strictly divorced from the men.

Senator POTTER. You mean to tell me in the Communist army they had a caste system there?

Lt. McNICHOLS. You bet you they do.

Senator POTTER. I have no further questions.

Lieutenant, the tentative plan will be for us to hold public hearings beginning Wednesday morning, and if you could be available—I do not know the schedule yet as to whether you will go on

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Wednesday or Thursday or Friday—but we will certainly appreciate it if you could stay around. You have a story that should get out.

Lt. McNICHOLS. Thank you very much.

Senator POTTER. We will call Corporal Wilton.

STATEMENT OF SGT. BARRY F. RHODEN

Senator POTTER. Will you have a chair, Corporal. Will you identify yourself for the record, Corporal, and give your full name and your present unit.

Sgt. RHODEN. You are mistaken, Senator. My rank is sergeant, and my name is Barry F. Rhoden; Sergeant Barry F. Rhoden, RA 1432093. I am assigned to the 35th, in Jacksonville, Florida.

Senator POTTER. What is your home address?

Sgt. RHODEN. McClenny, Florida.

Senator POTTER. You are not kicking about your assignment?

Sgt. RHODEN. No, sir.

Senator POTTER. Sergeant, would you tell the committee what unit you were assigned to when you first went to Korea?

Sgt. RHODEN. I was in training with the Second Infantry Division in Fort Lewis, Washington, when the Korean War started. We were alerted for Korea, and on the 22nd of July we left the States for Korea. We landed on about the 1st of August in 1950. About the 30th of August of 1950 we were up on the line, the Neptung River; and the exact position I do not know, sir.

Senator POTTER. Can you identify the approximate location on the map behind you?

Sgt. RHODEN. Yes. Right around here near Taeju [indicating]. It was to the left of Taeju.

Senator POTTER. That was also on the Pusan perimeter area?

Sgt. RHODEN. Yes, sir.

Senator POTTER. That was the western boundary of the Pusan area?

Sgt. RHODEN. The whole time I was there I did not know north, south, or what; but it was in the area near Taeju. The exact dates, sir, I am not sure. In the affidavit I said on the 31st of August, sir, but I remember now when we were joking with each other about payday. That was the next company day. So it was on the 30th of August, sir, when the North Koreans hit us there and my unit was surrounded.

On the morning of the 31st of August we were taken prisoner. We had no ammunition. I, along with sixty other fellows, was trying to move back to our lines. We were opened fire on by some of the North Koreans.

Senator POTTER. What was your duty with the company?

Sgt. RHODEN. I was the assistant squad leader, sir, in the 57 Millimeter Recoilless Rifle Squad. We were trying to get back to our lines, sir, and we were kind of off to the side of our company—on an outpost. When they overran the main positions we were firing and they missed us. We were throwing grenades in to a bunch of them, and they did not even notice us. I do not know what was wrong, whether they were doped or what.

After we were out of ammunition, we were trying to get back to our lines. We were moving along the edge of the lake or a little

trail and we could hear the firing. We knew our lines were there some place, and we were trying to get to them.

About a platoon of them opened fire on us from up on the mountain. We began to run. We had no ammunition. We knew it was the North Koreans and that they were after us. There was a bend in the trail—it went around the edge of the mountain—and out across the rice paddy I could see a bunch of fellows moving. They looked to me like GI's. I looked through binoculars and I could see they had on their GI uniform, the fatigue, the GI boots, and the steel helmets. We actually thought they were GI's, sir. We had been chased a while and we were going to let them chase us right on into a trap, and it worked the other way. When they opened fire on us, the North Koreans opened fire on us. They came off the hill on us. The lake was at our back, sir, and we were helpless there.

Senator POTTER. How many of you were there in the group?

Sgt. RHODEN. There were seven to start with, sir, and three of the fellows were killed while we were being taken prisoners. We had just a few rounds each, sir, and our bayonets. We did the best we could, sir, but three of them were killed. The other four of us they put to carrying ammunition for them during the day. The lieutenant mentioned taking the dog tags. They took our dog tags. The officer who was in charge of the group that we were with, he had a nice roll of chains and he was making a collection of them.

Senator POTTER. That was the Korean officer, the North Korean officer?

Sgt. RHODEN. Yes, sir. Thereafter we were taken prisoner and there was this one officer—they wanted to shoot us several times and he would stop it. I take it he was the political officer. He had a little briefcase with a lot of papers, of propaganda, and pictures and so forth, and he would let us read those.

Senator POTTER. Were those the individual North Korean soldiers?

Sgt. RHODEN. The North Korean GI's. He would let them beat us but he would not let them shoot us. As long as you would look him right in the eye, it was all right; but if you turned your back, he would hit you. They hit us with their rifle butts. Maybe they would kick us or spit on us or beat us with a stick or something.

They took all of the stuff we had on us—our billfolds, our watches, and our papers—and it was like a kid at a Christmas tree. He enjoyed getting all of it. We were put to carrying ammunition for them.

Senator POTTER. That was the same day?

Sgt. RHODEN. Yes, sir. They had loaded us down with the ammunition, sir, and some of us were loaded pretty heavy. When we would fall we got a flogging, sir. They had taken our boots and our jackets. The North Koreans, none of them could speak English, sir, and I could not speak their lingo. So the questioning they did was by drawings on paper and signs. They would draw a picture of a plane and they wanted to know how many planes we had. So we put down ten planes—you had to put something. I did not know, sir, and I tried to let them know I did not know; and I would get a beating. So I got so I would mark and he would draw a plane. He would want me to mark how many and I would fill the page up. If I put maybe ten or twelve down, I got a beating. So I filled

the page up and just kept going until he stopped me, and then he was satisfied. The same way with the tanks and the artillery.

Senator POTTER. This was all done by drawings?

Sgt. RHODEN. Yes, and by signs. He would draw his rank and I would draw my two stripes down.

Senator POTTER. Do you know what rank he had?

Sgt. RHODEN. No, sir, I do not. It was all confusing to me.

Senator POTTER. But he was an officer?

Sgt. RHODEN. Yes, sir. He had the runners coming to him, and when he gave an order the fellows jumped around. One time when he was questioning me, sir, he got a little rough with me, and this other fellow——

Senator POTTER. What do you mean, he got rough?

Sgt. RHODEN. He put the pistol to my head, right up here [indicating], and motioned I had better come across or else. This other fellow came up and run him away and then he sat down there with me, the old buddy-buddy. He pointed to me and then to himself, and he would go like that [indicating] and I would play dumb. He would go through the motion again, and again I would play dumb. So the next time he went through the motion, he took my hand and shook hands with me. I motioned I knew what he meant.

The other fellow said, "He is trying to get friendly. Ask him for something to eat." We were all very hungry; our rations were running low before we were taken prisoner. So we asked him for something to eat. He went into a rage. He beat us around a little.

Then the fellows told me, "Ask him for some water." So I asked him for water and they did give us a little water. But all of the questioning was by drawings, sir, and signs.

After the questioning there, sir, where he tried to get buddy-buddy with me——

Senator POTTER. Was this the first day?

Sgt. RHODEN. This was all in the first day that I was taken prisoner, sir. From there we went on. They had a unit surrounded and they set up a road block. There was one vehicle, an army truck, trying to get in to the outfit and they knocked the truck out, killing the driver. Then there was one trying to get out from the unit that was trapped and they knocked the vehicle out. There were two GI's there and one of them got away; he was wounded but he made it back down.

We could see the unit out in the valley. An American infantry company started up to see if they could knock out the road block. They left a few there to try and hold them back while the main body of the ambush pulled back. They had us with them and it was getting along late in the afternoon. Just about dark, about two or three miles from where they had the unit surrounded, they stopped us. A new officer had taken over, the one that had been questioning us, and he had stayed behind I guess. I did not see him anymore.

This new officer went through questioning me again by drawings and signs. The rest of them were sitting up on the hill. We were on the little trail right by a rice paddy. They asked the other fellows questions. I was the squad leader at the time, and the fellows would look at me before they would try to give any answer. So they were really questioning me. They thought I knew all the answers.

After questioning me he gave me a little piece of paper about so long and so wide which was mimeographed. It had Korean writing on it and also English. The statement was, "You are about to die the most horrible kind of death."

Senator POTTER. That was the statement that was given to you?

Sgt. RHODEN. Yes, sir. He gave me the statement and told me to read it to the fellows.

Senator POTTER. What did it say, again?

Sgt. RHODEN. "You are about to die the most horrible kind of death." That was all there was to it, sir. I guess they wanted to maybe make us run, sir, or something, and have a sport with it. When I read this statement, the other fellows—we had been expecting it. We had read of what had happened to some of the prisoners.

After I read the statement I crumpled it up in my hand. I wanted it there when they found us. They took the statement away from me; they would not let me keep it. I do remember some of the fellows saying, "Well, they are finally going to shoot us," or something like that, sir.

So he motioned me to go where the other fellows were standing. They were just about the length away from us as we are here, sir, and as I turned around to go—I did almost an about face. He had the burp gun over his shoulder—they carried it with a strap—and as I turned around, sir, I was shot in the back with the burp gun. The bullet knocked me down, sir. As the lieutenant said, I did a good job of playing dead, sir. It did not knock me out. I lay there. The way I fell, I could see the fellows out in front of me being shot.

Senator POTTER. He shot you in the back and then he shot the others?

Sgt. RHODEN. They shot me in the back, sir, and I laid there praying and pretending I was dead, sir. They shot the other fellows and then stopped over me and bayoneted the other fellows a time or two. Then they left. After a while they left. After they had gone, sir, I began to move around when I thought it was safe. I was paralyzed from my waist down. I pulled myself around, and I noticed the other fellows were still alive, too. They were moving around. I went over and made them as comfortable as I could.

There was a little embankment there and I pulled them down over it. A couple of them helped them get down. I stayed there, sir. I do not remember just exactly—I know there were four of us when we were shot. There is one fellow that I am in doubt as to just what happened there. I understood later that he made it back to the States.

I do remember two fellows there. I bandaged them up the best I could. I blacked out, sir. When I came back to what I was doing, I was still there and it was dark. I felt the two fellows and they were stiff. I do not know how long I had been out there. The other fellows were definitely dead. I do not remember the third one. I am kind of foggy. I do not know if I could find them, and I do not think that I could find the other fellow.

Senator POTTER. You remember that two of them were dead?

Sgt. RHODEN. Yes. I know I found two. The third one I am in doubt, sir. I do understand this other fellow made it back. I do not know if he is still in the army or out, sir. I crawled off to a little

stream and drank some water. When I drank the water, sir, I blacked out. I do not remember anything else until——

Senator POTTER. This was at night?

Sgt. RHODEN. Yes, sir. They captured us in the morning and they shot us that night. I guess it was the same night, sir. When I drank the water I blacked out and I do not remember anything else until I was wandering around calling one of the fellows that had been shot with me. And then a patrol of North Koreans—I saw them just about the same time they saw me—took a shot at me, sir. The bullet missed me. It was at awful close range, though.

They came up where I was at and made me get up and walk up the side of the hill. They had me standing there and they were kind of a half circle around me. One put his rifle up and made like he was going to shoot me. Then they would all laugh and he would take his rifle down and the next one would go through the same motion.

At the time, sir, I was in such pain that I began to want to get it over with. I felt I would be better off. I sat down, and it made them mad, sir. I was actually trying to provoke them into getting me out of my misery, sir. They were in a stew. Then I saw this little plane circling around. I do not know if he knew what was going on, but our planes started strafing them.

When the planes started strafing them, one of the North Koreans—the one in charge; I guess he was an officer, sir—was hit. I picked up the little pot he had, the one he mixed his rice in, and started off down the hill. At the bottom of the hill there were two of them who came from behind a rock with burp guns on them. They wanted to know in sign language where I was going. I motioned to the ones on the hill and motioned they were sending me to the stream to get water to take up to them. I got that story like I did the pot.

When I got to the stream, it had pretty steep banks. I hid in a small pea patch. I pulled the vines over me. I had my little pot full of water. They came looking for me but they did not find me. The rest of the time, sir, I would hide out during the day and move at night. Sometimes I do not know what I did. Sometimes I would be running around in the day time. Then I would hide out.

Later I found out it was the 7th of September. I was just fixing to hide out for the day. I was almost ready to give up when I heard the vehicles, the motors, and I looked. I could see the big white star. I knew it was our boys, sir, but they got by before I could get there at the time. I would raise up and just stumble until I would fall. I would give myself a pep talk and I would go again. I knew I was so near our lines.

I made it out to the road. There was a jeep coming and a tank, and then a truck loaded with GI's. I guess they were replacements, sir. I guess as the lieutenant said, sir, with the wounded they usually had an ambush waiting. So they were kind of leary there. I began to think they were going to shoot me. But they got down and the sergeant got out of the jeep. I was doubled up and I did not have any shoes or any shirt. The sergeant asked me, "What is the matter? Do you have a cramp?" I told him, "Yes, I have got a cramp." I asked him if he would take me to the aid station.

I do not know what unit it was, sir. I was so glad to get back.

Senator POTTER. How long were you behind the enemy lines?

Sgt. RHODEN. I was taken prisoner and shot on the 31st of August of 1950. Later I found out it was the 7th of September when I made it back to our lines.

The affidavit I have there, sir, I believe it says I was captured and shot on the 1st of September. On my medical record they say I made it back to my lines, or I was wounded, on the 7th of September. That is the date I made it back to our lines.

Senator POTTER. Whereabouts were you shot in the back?

Sgt. RHODEN. The bullet went in just below my belt in the back and fractured my spine and nicked my spine. The reason I was paralyzed, the bullet went through my bladder and out through the front, sir.

Senator POTTER. That is certainly quite a story. What time did you get back to the States?

Sgt. RHODEN. I believe, sir, it was the 27th day of September of 1950. I was awfully glad to get back, though.

Senator POTTER. I can well imagine. Actually, you are the only one of the seven who came back, outside of this one man that you are not sure of?

Sgt. RHODEN. I was under the impression he was, sir. I saw a picture in a magazine of my old top kick, the first sergeant, sir, and I wrote him a letter. He was in a hospital, sir, and I wrote him a letter. He wrote back and told me that this other fellow had made it. I began to check around, and I think that he did make it, sir.

Mr. O'DONNELL. I think we can let the record show that there was another survivor. The other survivor's story up to the point of the shooting completely corroborates Sergeant Rhoden's story.

Sgt. RHODEN. His name, sir, when I made my affidavit I saw from the War Crimes Section a little statement there that he had made it. His name was Updegraaf, George Updegraaf. He was from Kansas City, I believe, or Oklahoma City.

Mr. O'DONNELL. We should have that in the record, that it is completely corroborated.

Senator POTTER. Sergeant, did they try to indoctrinate you at all?

Sgt. RHODEN. He gave us a lot of the literature to read. They have a picture up in the corner of an officer, always an officer. They have a long list of stuff there, about how nice it was, to come on over. They wished we would come on over and join with them; why fight the people? It was the same old Wall Street story and the capitalists. There were remarks about our president, sir, and it was all phony. You could see it was phony, sir, every bit of it. You could see right through it. Also, when we read the stuff we would laugh and joke about it. None of them could speak English, so we did not have to worry about what we said too much.

Senator POTTER. They did not have an interpreter with their group?

Sgt. RHODEN. There was no one. I heard one word I could understand while I was a prisoner, sir. When our planes were strafing them and the marine corps were there, he called it whispering death. He said "whispering death" as plain as I can say it, sir. They cut their engines in to throw the rockets. They wanted to know about the planes, and they kept questioning us about them. They did not like them too well.

As I said, we marked down ten planes and we got a beating. If we filled up a couple of pages, then they were satisfied.

Senator POTTER. I want to make sure that I have this clearly in mind. As I understand, after you were captured the second time by this group and our planes strafed the group, their leader was killed?

Sgt. RHODEN. There were several of them killed, sir, out of the bunch. I say "several," sir, but there were three or four. Actually I will tell you, sir, I saw this little plane up there circling. I guess it was an artillery or an observation plane. As I said, I was trying to provoke them into shooting me. My tummy felt like I had hot lead in it, sir, and I actually spit at them when they were trying to make me stand up. Then all of a sudden the plane was there. When the plane started strafing them—I do not know why I picked the pot up off the officer's pack, but I grabbed the pot. I do not know, sir. When I saw the plane strafing them I was ready to give up, but when the plane hit and I saw I had a chance, it gave me the pop to try it again.

Senator POTTER. Then you ran down towards a creek and you met two other North Koreans and they thought you were going after water for them, is that right?

Sgt. RHODEN. Well, sir, I was stumbling down the hill and the planes were still strafing up behind me on the hill where I had just left. These two North Koreans came from behind the rock and they wanted to know where I was going. They saw I was wounded, and when they made me walk up the hill I started bleeding an awful lot. My pants were all bloody and they wanted to know "bang-bang?" I motioned "bang-bang" and they had to look to see where I had been shot. It pleased them, sir.

Then they wanted to know where I was going and I motioned that the ones on the hill were sending me to get the water. I got the story like I did the pot. I had a good line, sir. The planes strafing up there, they fell for the story. They stood there and watched me. The stream was about one hundred yards away and I kept looking back, and they were watching me. When I got to the stream it had deep banks, but the water was only about a foot deep. So I went up and hid in the pea patch.

When it got night, I started moving back to our lines.

As for the treatment we had, sir, this one officer would let them beat us up but he would not let them shoot us. When we asked for something to eat we got a beating. But he did send off to get some water for us. He sent off the little pot for the four of us, and when they brought it back there was about an inch of water to the pot. I split the water with the other fellows. He did not know what to think about that. The water was for me and he did not care about the other fellows at the time he was trying to get stuff out of me.

Senator POTTER. During that seven-day period, you had no food?

Sgt. RHODEN. Yes, sir, I managed. The North Koreans had been through the area, sir. Actually, the most of what they ate was what they could get out of gardens. I found one little cucumber about so big and I ate the cucumber, but it made me sick and I wished I had not eaten it. I had one little cucumber.

Senator POTTER. When they would beat you, would they beat you around the head or where?

Sgt. RHODEN. Well, mostly, as I said, sir, if you could look him in the eye—I do not know why it was—but you would stare him down and he would not do it. Usually we were carrying equipment or something, and if we fell then they beat us on the backs with their rifle butts. Maybe he would come up behind you or if you walked by him going along, as you passed he would reach out and hit you with his rifle butt. They always hit us from behind, usually up and down in the back. I got hit once right behind my neck. That was about the only time I was hit around the head. I did have the pistol—they keep punching you with a pistol when they wanted information and they thought you were not telling them. They keep poking you with a pistol. It was a pretty gun and made on the order of our 45. It had the big red star in the handle. There was a little hole in there. There was a red star and USSR, sir.

Senator POTTER. A Russian pistol?

Sgt. RHODEN. Yes, sir. I saw the USSR.

Senator POTTER. The leader was the one—he allowed the beating but at that time he did not want any of the men to shoot you. But was it the leader that shot you?

Sgt. RHODEN. Well, sir, let me straighten this out now. The first one—which I take it was the political officer, as he had the briefcase with the stuff—he is the one that would not let them shoot us. But he was separated from us when this one infantry company was coming in there, sir, and they moved up and got in their skirmish line and started forward. There was about a battalion of them that had us.

There were a few hundred of them. They left just enough to hold the company off, and they began to actually run. We tried to make a break there, sir, even while the planes were strafing them we would try and we could even plan and, talking just like I am, what we were going to do. When the planes started strafing them, they would always circle us, and point their guns at us, and when they started running I began to fall back and tell the other fellows to fall back, and we were going to jump them when we got back on the end. But they caught on to us and wouldn't let us.

But the political officer, what I take is the political officer, he stayed behind and we were separated from him while we were running there, sir. Then when they stopped us there—

Senator POTTER. When you were shot, was it the leader of the group that did the shooting?

Sgt. RHODEN. Yes, sir, he was the leader of the group. I guess he was, the rank, sir, I don't know what it was. The piece of paper I had crumpled up in my hand, his aide was there to get it away from me. There were runners coming to him and leaving him.

Senator POTTER. You assume he was an officer?

Sgt. RHODEN. Yes, sir, when he gave the orders, you could see them jump around.

Senator POTTER. It was an officer that shot you?

Sgt. RHODEN. Yes, sir, he had the burp gun and shot me. They got right up to my face to question me and they were trying to get into my face, and I did an about-face and I was shot by this same fellow.

Senator POTTER. How far were the other men away from you at the time?

Sgt. RHODEN. Approximately as far from me to you, sir.

Senator POTTER. About twenty-five or thirty feet or something like that?

Sgt. RHODEN. Yes, sir.

Senator POTTER. And he shot you and then he shot you first and then he shot the others?

Sgt. RHODEN. He shot me, and the bullet knocked me down, sir, and of course there was no pain at the time and when I fell I was kind of like this and I could see the way the fellows were, and I see them as they were being shot.

Senator POTTER. And they were shot and then some were bayoneted, is that true?

Sgt. RHODEN. Yes, sir.

Senator POTTER. And afterwards you helped take care of a couple of them so that you know that some of them were bayonet wounds?

Sgt. RHODEN. I talked to them for a while, sir. They lived for quite a while and I don't know just how long. They were talking, though, trying to pep each other up.

Senator POTTER. But they died that night?

Sgt. RHODEN. Yes, sir, they did.

Mr. O'DONNELL. I would like to go back to when you were seven and the seven were overrun for lack of ammunition and you held out as long as you could, and three of you were killed. How were the circumstances of those three deaths?

Sgt. RHODEN. Well, sir, they were closing in on us, and as I said they were coming up behind us, and from out in the rice paddy and the lake behind us, and they were just about fifty feet up there, just swarming off like ants. This one fellow, the squad leader, a bullet creased him along the side of his head and he fell and before he fell, sir, he said "I am hit," and he was right by me. I know he was playing dead because he stayed there for just a few minutes and a few seconds, and fired his rifle the last couple of times there, and he fell, sir, and I saw him look a couple of times. I was looking around to see how many of us there were. Then the squad leader fell and he was playing dead, sir, and the other two fellows, I don't know how badly they were hit.

After they got us there, sir, they went over and they bayoneted the fellows, and the other two fellows and shot them in the head and I don't know if the other two were playing dead or not. But I do know—

Senator POTTER. Whether they were dead or not, they shot them?

Sgt. RHODEN. They were the three of them were down, sir, on the ground and they went up to these two and shot them and bayoneted them several times, sir, and the squad leader, here he was my very good friend and I know he was playing dead and I was pulling for him, and maybe he could make it, sir, but they walked up to him and this officer, he was the one that was in command of the troops, sir.

Senator POTTER. He wasn't the political officer?

Sgt. RHODEN. Not the political officer and he stuck a rifle right down to his head and shot him. I know he was playing dead because after he shot him, you could see him moving, you know, and you could tell he was dying. I know he was playing dead, sir, when

he was shot and the rifle was put right to his temple and he was shot.

Mr. O'DONNELL. Were any of the four who were captured, wounded?

Sgt. RHODEN. Maybe one or two creased, sir, and one nicked me across my stomach, and he was fixing to bayonet me and I had one round left and I had a pistol, a 45 automatic and one round left, and I was saving it for myself, sir. I was going to shoot myself before I would be taken prisoner, and I just didn't have what it takes to pull the trigger and the excuse I made to myself was as long as I have got a breath I have got a chance.

I looked and he was coming down, and we were right by a little embankment and he was fixing to bayonet me and the bayonet got me along the side here and I shot him, sir, with the last round.

I was wounded just a little place along my ribs where the bayonet hit me and the other fellows had been creased with a bullet, the best I can remember, sir.

Mr. O'DONNELL. The prime reason they didn't kill the four who were not seriously wounded was because they needed them to pack ammunition and water, and so forth?

Sgt. RHODEN. I take it, sir, they did load us down, and they gave us a tremendous load to carry. And it was an awful load and they kept prodding us, too. It was heavy, actually it was pretty rough going. It was just about all that you could prod along with and it was enough that you would fall with it.

None of us were seriously wounded, no, sir. When we fell we would get flogged.

Senator POTTER. What type of ammunition were you carrying?

Sgt. RHODEN. Ammunition for about a 50-calibre that they had, and I had a bag of ammunition for that, a big sackful, and some of the fellows, one of them had a big mortar plate for their big mortar, and some ammunition for the mortar and a lot of the personal gear of the fellows, and they would throw their personal gear on it, and we were all loaded on ammunition with the exception of the one who had the base plate for the mortar.

Mr. O'DONNELL. How far would you estimate you actually carried the ammunition?

Sgt. RHODEN. I would say approximately, sir, about eight or ten miles, and all day we were going around this.

Mr. O'DONNELL. During this period of time were you given any food at all?

Sgt. RHODEN. No, sir, I asked for food once, and that is when I got the beating.

Senator POTTER. Do you have any questions?

Did the North Korean soldiers eat any food while you were carrying this?

Sgt. RHODEN. Oh, yes, they had the rice there, and they had a powder looking stuff that they eat, and it was like a meal and they would mix it with water and eat it, and also they would tell us we could eat and maybe we would find a potato patch and they would tell us we can chop-chop, you know, and motioned to help ourselves. Then we would dig the potatoes and they would take them away from us and so we quit digging. As long as we would dig the potatoes, they would take them away from us.

I saw one eat a part of a pumpkin and they had to eat, and they carried it in a nasty bag, this powder-like stuff, a meal, and they would mix it with water and eat it just like that. They didn't cook it, sir, a cold meal.

Senator POTTER. But they had food?

Sgt. RHODEN. Definitely.

Senator POTTER. But they did not give any food to you?

Sgt. RHODEN. No, sir.

Senator POTTER. Or to the other men?

Sgt. RHODEN. No, sir, and I didn't see any get any food.

Senator POTTER. How long were you hospitalized, Sergeant?

Sgt. RHODEN. I was released from the hospital—I made the trip back to the hospital, sir, to our aid station, on the 7th of September, and I was released from the hospital in January of 1951.

Senator POTTER. Are you on active duty now?

Sgt. RHODEN. I am, sir.

Senator POTTER. Do you have any permanent injury as a result?

Sgt. RHODEN. Well, sir, sometimes yes, I have a little trouble. It is with my legs, sir, I do.

Senator POTTER. You are not on limited duty, you are on active duty?

Sgt. RHODEN. I am on active duty, sir, but I have the profile, a three on my profile which is a 3-D, and it limits me to my assignments as to the places I can be assigned to.

Senator POTTER. You are limited to service in the army, but on active duty?

Sgt. RHODEN. Yes, sir.

Senator POTTER. Sergeant, do you mind if I ask you the same questions I asked the lieutenant? You have an experience first-hand, and do you have any comments that you would like to make concerning the Communist movement here in our country?

Sgt. RHODEN. Well, sir, I was fighting in Korea, sir, and I hated them, and after I arrived back here, of course, we didn't hear too much about communism.

Actually, sir, I didn't actually know what it was until the Korean War started and I began to see what I could find out about it. I finally made Korea and I hated them and after I went into the hospital I was on a public appearance tour, and I received some letters from them, around, and it is all the way I take it, sir, for the same purpose. They are trying to overthrow our government, and it is all for the same purpose. If I hate them in Korea I see no reason why I shouldn't hate them here. You asked me my personal opinion, sir, and that is the way I feel about it.

Senator POTTER. Sergeant, did the political officer, you mentioned he asked you about the number of planes and the number of tanks and so forth, did he ask you any political questions about your home life or anything of that kind?

Sgt. RHODEN. Yes, he wanted to know where I was from, and the way he would draw a map of Korea and he put Japan and the States, and then he wanted to know where I was from, where I come from, from the States to Korea or from Japan to Korea, or what.

I was confused by doing this. I didn't know, and then he would get rough and so I motioned the States and he wanted to know maybe in the States and he wanted to know what point.

As for my address, sir, I had a lot of stuff in my wallet and I didn't have time to get rid of anything, and they had all of the stuff I had, as to the information as to the addresses and so forth. They wanted to know where in the States I was from and so forth.

Now, I got some pretty nasty letters, from the time I was on the tour, sir, a couple that made some pretty——

Senator POTTER. Do you have those letters with you?

Sgt. RHODEN. No, sir, I don't have them with me, and I turned them over to our intelligence officer, sir, at district headquarters.

Senator POTTER. Could you give us the essence of what they said in the letter?

Sgt. RHODEN. Well, sir, it was along the same line we had over there, maybe it was put together a little better. Actually I didn't read it too thoroughly, or try to memorize any of it. You could tell from where it was from, one point in the state and one from another, and none of them were signed. They called President Truman at the time, sir, a puke from Missouri, and about MacArthur, remarks along the same line. I turned the letter over to——

Senator POTTER. The letters were postmarked from the United States?

Sgt. RHODEN. Yes, sir, the one calling Truman a puke from Missouri was from Daytona Beach, I believe. I turned the letter over.

Senator POTTER. Do you know where the other one was postmarked from?

Sgt. RHODEN. From St. Petersburg, Florida, and maybe one was Coral Gables.

Senator POTTER. Colonel Whitehorn, do you suppose we could get those letters from G-2?

Col. WHITEHORN. I wouldn't know. I can check on that.

Senator POTTER. Were you intimidated in any other way after you got back from the Communists?

Sgt. RHODEN. No, sir, just the letters. I was encouraged in the letters to write my congressman, and so forth, and try to get the useless killing stopped in Korea and if you have got the letter you will get an idea, all of them are along the same line.

Actually, sir, at the time when I got the first letters, I didn't turn them in, and I might still have some of them. What I did get, if I have them I don't know, sir, but I have to check through that, but this one or two that I turned in, sir, they are all along the same lines, sir, and I turned in two that I know of.

Mr. JONES. Let me get this information for the record.

The basis of your conversation with the political officer in Korea was reestablished again in the form of a letter to you mailed in the United States, is that correct?

Sgt. RHODEN. Well, sir, the letters were on the same line as the pamphlets he gave us, yes, sir. It was on the same line.

Senator POTTER. Capitalistic war and so on?

Sgt. RHODEN. Yes, sir, the same stuff and you read one letter and the next one in the same way, and they don't vary such.

Senator POTTER. But the correspondence corresponds with the type of indoctrination they tried to give you in Korea?

Sgt. RHODEN. Oh, yes, sir.

Mr. JONES. And we would assume that your name was sent through the regular Communist channels to the Communist party in this country?

Sgt. RHODEN. I wouldn't know that, sir.

Mr. JONES. That would very likely be the way they would act.

Senator POTTER. You had made some talks?

Sgt. RHODEN. They had me on this public appearance tour, as soon as I could get around, and going before the various clubs, and the Lions Club and the American Legion and so forth, and giving those talks about my experience, sir, and how our equipment compared to theirs, and so forth.

Senator POTTER. Colonel Wolfe, do you have anything that you want to add?

Thank you kindly, Sergeant.

I would like to call Captain Buttrey.

Captain, will you take a chair? You hadn't arrived when we first opened our hearings, but I want to take this opportunity to thank you ahead of time for being with us.

The purpose of this hearing, of course, is to aid us in the investigations and to let the American people better know the type of enemy that we have been fighting. We have nothing, and we are not investigating anybody here, we are just trying as a matter of securing information, to buttress our efforts in the United Nations, and to secure public information.

Would you identify yourself for the record, Captain?

STATEMENT OF CAPT. LINTON J. BUTTREY

Capt. BUTTREY. My name is Linton J. Buttrey, sir, 0407113, and I am stationed at Replacement Training Center, Camp Pickett.

Senator POTTER. I have had some memories of Camp Pickett, and I do not know that they are the most pleasant, but I was stationed there at one time. I thought Camp Pickett was closed.

Capt. BUTTREY. No, sir, it was very active Friday when I left, sir. I think most of the people there are hopeful that it will be closed.

Senator POTTER. I was there in 1942, in Advance Training Area before I went overseas.

What is your home address, Captain?

Capt. BUTTREY. Nashville, Tennessee, sir.

Senator POTTER. When did you first go to Korea, and what unit were you with?

Capt. BUTTREY. I was with the 19th Infantry, 24th Infantry Division.

Senator POTTER. What was your assignment?

Capt. BUTTREY. I was assistant battalion surgeon, with the first battalion. I am a medical service officer.

Senator POTTER. Now, would you give us your account of how you were captured, and what took place?

Capt. BUTTREY. Well, sir, it was on a Sunday, 16th of July, Sunday morning, and I use the vernacular, the old army talk, when all hell broke loose in those rice paddies over there.

Senator POTTER. This is 1950?

Capt. BUTTREY. Yes, sir, that was the 16th of July, 1950. We were told to evacuate, and it was probably about 6:30 or seven

o'clock in the morning. We didn't evacuate right then. We fought in and out of this little valley there on the Koon River but in the afternoon we had to organize and protect the unit itself, and all of our equipment.

But that night we had to abandon and leave it and move out. I suppose we got out over the hill, the ridge, about midnight, I am not sure, and no one paid too much attention to time under those circumstances; but it must have been around midnight.

Senator POTTER. And were you overrun?

Capt. BUTTREY. Yes, sir, we were. Of course, my job was as a doctor there and we had two doctors in there. I don't remember, but we had many patients and we were getting them out all along the afternoon if we could run a roadblock—they had set up a roadblock.

At night they would infiltrate and surround us, and as you know the American forces were not large in numbers then, and so they infiltrated and surrounded us and set up a roadblock the night before, and they attacked in the morning, which occurred about 6:30 or seven o'clock.

Senator POTTER. Would they fire on an ambulance?

Capt. BUTTREY. Well, yes, sir, they would fire on any vehicle at that time. What actually happened, where the ambulances were concerned, and I didn't witness this but the ambulances were shot up, any of them that would come out and go back, in case they didn't try to get back in, they were shot up.

Senator POTTER. Of course, our ambulances are very vividly marked with the Red Cross.

Capt. BUTTREY. They make good targets, and it was a beautiful day.

Senator POTTER. Captain, would you tell in your own words after you left it, I assume it was your battalion aid station about midnight?

Capt. BUTTREY. Well, sir, we moved the battalion aid station back to the regimental aid station, and that was prior to our being completely blocked, but I suppose the regimental commander and his officers expected to get out, which we didn't. He was wounded there, too, the regimental commander was.

But in the afternoon, probably three or four o'clock, when we set up our convoy hoping to run this roadblock and put the troops out on either side of the flanks to defend us after we got out, their forces were stronger so I was told, and what would have been our rear and we couldn't make it and so we had to abandon the convoy and in doing that we had many patients. I don't know just how many patients, sir, we did have. We had some trucks loaded with them, and the signal told me there was no doctor there then and he was attending other patients. But in my immediate area we didn't have enough transportation to get them out.

I couldn't think of leaving them, so the signal told me I could unload their trucks, and they had two, I believe, in there. Once we started to do that, but then that wasn't feasible, all of the men weren't mobilized yet. So I asked for enough people to help us take the patients over the hill and they did. They let me have them and, of course, they had their arms and it was dark by this time, you know, so they helped carry the patients by litter over the hill.

In getting over there, there was no vegetation in South Korea, that is trees, and there was a small cemetery there, and they are just mounds—I believe they tell us they bury their dead sitting upright, but anyway they are huge mounds. The only vegetation there at all of any site, that is trees, there are probably half a dozen of greens and they were tall and not much foliage on them. But my idea there was we had this great number of patients and we would have to move them and the sun would be hot the next day.

So I asked them to put them down there, and then another thing I requested of the troops themselves. They were still fighting out there, and the officers who were present agreed that every time we could that four men would take one patient, and I don't know how many patients got out that night. But many of them did and many of them died on their litters and we could find them later, or they were found, so we were told later.

That was on the night, Sunday night of the 16th of July, 1950. All night long the chaplain, he had remained with me, too, and about daybreak—

Senator POTTER. In other words, you and the chaplain stayed with the wounded?

Capt. BUTTREY. Yes, sir. There will be a little humor in this. You know how we Americans are. It is bad enough, but I like to think of the humorous side of it, too. I mentioned in my report a corporal that got out and he did get out and I made the remark that many of these people, patients now, dragged themselves out. Well, he exemplified what I mean. He was from Texas, and if there are any Texans in here you should be proud of this. But the humorous article, I had asked each patient during the night when they were calling for me and I would adjust their bandages, and so forth, and give them any medication, I would ask them—I didn't think we would get out—and I would ask them: Do you think you can walk? And I intended to get everyone out I could.

And Taylor, his name is, I would like to know where he is; he is out somewhere. He was a skinny youngster and about eighteen or nineteen years old, and when I got to the litter I asked him, I said: "Corporal, can you walk?" And I had known him in Japan and I had been on a trip with the navy and taken thirty troops on a tour with them early in the spring. So he said: "Yes, sir, I think I can."

I looked and he only had one boot and so in the old army way I said, "Where in the hell is your other boot?" And he said, "I don't know, sir, I don't need it."

I said "We are ten or twelve miles away from any medication, and you need it," and I said "I will get one off another patient." He said "No, sir, I can go back for it" and I said "Oh, you damn Texans, I don't care how you get out if it is on your head. If you can walk, get going," and so he did. He was willing to just get out any way and so he did. I will advance this a little bit, and so I find myself in Japan and they were very nice to me in the hospital and bring me the roster every day of those who had been admitted. So one day I looked about a week or two days later, and here was Corporal Taylor, and I didn't think he would get out, but by virtue of his not accepting the boot, sir, I am pretty sure that that is the

only thing that made him get out. He was too weak otherwise, and he couldn't have carried that extra boot.

But the pity of it now is this: I went to the ward and they wheeled me to the ward to see him and he was in very bad shape and he had been shot in one leg and he was almost paralyzed in that, however he did get back. The one that was paralyzed, and had no feeling, not necessarily paralyzed, but had no feeling in it, he had dragged that leg until there was no skin on it to speak of, from the knee to the end of his toes.

That is the circumstances under which he evacuated himself, and he didn't have the feeling to know that he was doing that apparently to himself.

Senator POTTER. It was about a twelve-mile trip?

Capt. BUTTREY. Yes, sir, ten or twelve miles; yes, sir.

Senator POTTER. Then did the North Koreans overrun your position?

Capt. BUTTREY. Yes, sir. It was on Monday morning and I don't know but it was seven or eight o'clock and the chaplain, he saw them coming first, and I was administering to the patients, and he just signaled to us that he saw them coming. I don't know how many there were, but there were enough. And when you get over there you have a lot of hills and you can see them coming across these little ridges in great numbers. But naturally they didn't get into us, all of them, at least I don't think they did. But we were overrun and they were quite gleeful and excited about it.

A thing that drew their attention quite a bit was our GI ration cans, or C ration cans, the few we had had been thrown out, and they picked them up and talked about them. I don't speak Korean and they weren't speaking English, but they were very happy about it and they were shooting some of them, and they shot the rest of them.

Senator POTTER. You mean they would shoot the patients?

Capt. BUTTREY. The patients on the litters, and some of them tried to flee, and those who, I expect they, like anything else, they mustered a lot of courage, and some of them tried to run and tried to get away, and they were shot in the back or just shot.

Senator POTTER. Did they shoot any right on the litters?

Capt. BUTTREY. Yes, sir, right on the litters.

Senator POTTER. Did they shoot you, Captain?

Capt. BUTTREY. Yes, sir, I was wounded there, too, and they shot me.

Senator POTTER. Were you wearing an arm band?

Capt. BUTTREY. On the arm, yes, sir, a medical brassard.

Senator POTTER. And I assume the chaplain was similarly identified?

Capt. BUTTREY. He had on his, yes, sir, the chaplain's brassard.

Senator POTTER. Was he shot, too?

Capt. BUTTREY. Yes, sir, he was killed.

Senator POTTER. About how many wounded were there at this point, at that time?

Capt. BUTTREY. About how many were there?

Senator POTTER. Yes, sir, how many Americans.

Capt. BUTTREY. Shot on the litters? It is only a guess, sir, but I don't know, fifteen or twenty, and I don't know. You see we had

probably sixty or seventy to begin with, but many of them, you see, were taken out, and many of them were able to walk out. They weren't all originally on litters and we didn't have that many litters, and so many of them had gotten out.

Senator POTTER. Out of that group that were shot on their litters, or at this collecting point, how many are alive today?

Capt. BUTTREY. I don't know, sir.

Senator POTTER. Where were you shot, Captain?

Capt. BUTTREY. In the left thigh.

I suppose the one who shot me couldn't have been over five or six feet away.

Senator POTTER. So there was no doubt that they knew that you were a doctor?

Capt. BUTTREY. Oh, no, sir, I am not sure about that. There were no matured individuals with them, all of them impressed me as being just youngsters in teenage, and some of them may have been twenty-one years old, and I doubt that.

Senator POTTER. Was there a leader in the group?

Capt. BUTTREY. You couldn't discern that, and you could not identify any leader as such. It was sort of like a riot, you know, just a bunch of youngsters.

Senator POTTER. Were any of them bayoneted?

Capt. BUTTREY. No, sir.

Senator POTTER. They were all shot?

Capt. BUTTREY. Yes, sir.

Senator POTTER. When were you recovered, Captain?

Capt. BUTTREY. I got out the next day, I think it was.

Senator POTTER. How did you get out?

Capt. BUTTREY. I had to walk out, sir. It was a miracle, almost, sir. Lucky my leg wasn't broken, and the artery wasn't cut and the muscle wasn't torn. I bled very little and, of course, I became infected and I was in the hospital several weeks.

Senator POTTER. Did they assume you were dead?

Capt. BUTTREY. Yes, sir, I hope that is what they did, because I had to feign death there, and they shot at us after they got away. They would shoot back in the area and they would shoot from the hills and in fact all day long they would just shoot over into the area from both sides.

If they had had mature leadership, sir, I don't believe that they would have done that. I think they would have probably killed us all, but I think they would have just done it differently.

Senator POTTER. It was more like a riot of hysterical kids?

Capt. BUTTREY. Yes. Back somewhere, I am pretty sure they had a mature leader, but just where, I don't know.

Senator POTTER. Did any of the group speak English?

Capt. BUTTREY. No, sir.

Senator POTTER. So there was no interrogation of any kind?

Capt. BUTTREY. Oh, no, sir, their only motive there was just to intend to kill everybody.

Mr. O'DONNELL. Was there any resistance offered by you, the chaplain, or any of the seriously wounded litter patients?

Capt. BUTTREY. No, sir.

Mr. O'DONNELL. Could those youngsters, those North Korean troops, could they other but help to see that they were going in to helpless men?

Capt. BUTTREY. Surely they understood that; I am convinced they understood that, that they were helpless. You see, they laughed all of the time and it was a joke to them.

Senator POTTER. Were you armed at the time?

Capt. BUTTREY. I had had a 45, and I don't remember. I think I had disposed of it already, and I never had used it. And in fact I never had even thought about it, sir, and we were too busy. The day before you see, there had been hand-to-hand combat as we all know that were there, and you know that since. But up to the river side, my executive officer was killed and nearly all of the officers were killed and right on down the line. I don't know but one or two who got out.

Senator POTTER. Did I understand you to say you are in the medical service corps?

Capt. BUTTREY. Medical service corps. I am not a doctor.

Senator POTTER. At that time had they started arming any of the medics?

Capt. BUTTREY. Yes, sir.

Senator POTTER. As a result of the early atrocities, we had to arm them over there to protect them?

Capt. BUTTREY. Yes, sir.

Senator POTTER. Are there any questions?

Mr. CARR. Well, Captain, as I understand it, then, it was your group from maybe fifteen to twenty-five men wounded by the time they actually came down on you, and you were there alone, and there were no combat troops with you when they swept down on you and shot your men without any resistance from you or the wounded, and then went back up into the hills or back across.

Capt. BUTTREY. They just passed on, yes, sir; just passed on.

Mr. CARR. Thinking that they had killed everybody?

Capt. BUTTREY. I hope that is what they thought, yes, sir.

Mr. O'DONNELL. I think the record should show that all of the litter patients were actually killed, and that Captain Buttrey's story has been completely corroborated by other eye witnesses who were not litter patients, but who saw it; one a master sergeant who viewed the entire atrocity through field glasses.

Senator POTTER. If there are no other questions, thank you very much, Captain, and you weren't here when we were discussing this before.

We will probably begin our public hearings Wednesday morning and this is an executive session now so that we know just where we are going and what we are doing, and see whether there is any testimony that should be made public.

As we get closer to Wednesday morning, you will be notified about what time you will appear.

Capt. BUTTREY. Very well, sir.

Senator POTTER. It is 12:30 now, and I agreed to have lunch recess at 12:00. If we can recess now, will an hour and a half be sufficient time? We will stand in recess until two o'clock and we will continue with the other two men we didn't have this morning.

1995

AFTERNOON SESSION, 2:30 P.M.

Senator POTTER. The hearing will come to order.

Sergeant Weinel? Do you want to take a seat and identify yourself for the record, please? Give your full name and your unit.

**TESTIMONY OF SGT. CAREY H. WEINEL, 504th MILITARY
POLICE COMPANY, FORT EUSTIS, VIRGINIA**

Sgt. WEINEL. Master Sergeant Carey H. Weinel, RA 37009511, presently on duty with 504th Military Police Company, Fort Eustis, Virginia.

Senator POTTER. Where is your home, Sergeant?

Sgt. WEINEL. Kansas City, Missouri.

Senator POTTER. And when did you go to Korea, and what unit were you with?

Sgt. WEINEL. I went to Korea in August 1950, joined the Second Division, 23rd Infantry Regiment.

Senator POTTER. Sergeant, what was your duty?

Sgt. WEINEL. I was a squad leader, sir.

Senator POTTER. A squad leader.

Sgt. WEINEL. Yes, sir.

Senator POTTER. I wonder if you could tell the committee the circumstances under which you became captured.

Sgt. WEINEL. We was holding a perimeter of Pusan there, and it was right on the Nakdong River there, near a village, think Chinju, what they called the village. It is right along the Nakdong River.

Senator POTTER. Can you point that out on the map?

Sgt. WEINEL. Right in this vicinity here [indicating]. We had just moved into that position and activity was light when we first moved in there but we heard of an attack coming, while we didn't know when it was going to come, and we were alerted for it.

Senator POTTER. Were you in a holding position at the time, a defensive position?

Sgt. WEINEL. Yes, sir. And due to the lack of personnel, our replacements were awful thin. They were spread out quite a ways. When they made the push on us, that was on the 30th of August, that is when they made the push against us——

Senator POTTER. Was that a night attack?

Sgt. WEINEL. Yes, sir. We got the attack about two o'clock in the morning, the final attack did come at about two o'clock in the morning, and they more or less just run over all of our positions, all positions overrun, and I stayed in my position until I knew they was all around me, and the only thing I could think of was getting back to our company CP, our command post, and seeing if we could reorganize what men we had left, to see if we could reorganize and start to hit them again.

Our orders was to hold at all costs, and that is what we was doing, we was holding at all costs. That was our final hold there, at the command post. After we formed——

Senator POTTER. Then did the North Koreans overrun your lines?

Sgt. WEINEL. Yes, sir; they overrun our lines completely. Then they finally had us surrounded there, in the CP, and the only thing for us to do was to try to make a break to our own lines. They know where we was at and tried to throw mortars into our position

there. We organized what men we did have and tried to fight our way back to our lines but we didn't last too long. When it finally wound up there was something like fifteen, I think, fifteen of us.

Senator POTTER. Captured?

Sgt. WEINEL. Yes, sir. Myself, I got hit in the foot and one in the hip. When I got hit in the hip it knocked me plumb out. When I come to one was standing over me with a burp gun, motioning for me to get up. I could move all right. It didn't break no bones, it was just a flesh wound. I got up and the first thing he did was take my shoes off and the next thing they did was grab my dog-tags and throw them away.

Senator POTTER. They took off your shoes first?

Sgt. WEINEL. Yes, sir.

Senator POTTER. That seemed to be a common practice.

Sgt. WEINEL. They was hurting for shoes. It started to get cold and all they had was tennis shoes.

Senator POTTER. What time of year was this?

Sgt. WEINEL. This was the last of August. And so after they collected us all up and hid us in a ravine there, they brought in about three more prisoners, and then this here officer started interrogating us. He couldn't talk no English at all and he had an interpreter with us, and the interpreter wasn't too good. But he give us the idea if we would tell him the truth and don't lie to him, that we would go to Seoul to a big prison camp. He mentioned many, many Americans there.

And that we would have medical care and so forth and so on. They took our names, all of our names and serial numbers and so forth and so on, and he asked us as a group about our own forces and tanks and so forth and so on, how many tanks we had and so forth and so on. There was a few of them that did give that information. But there was others of us that didn't.

Senator POTTER. Did he ask you any other questions concerning any personal questions about your families?

Sgt. WEINEL. No, he didn't there. He was so interested in the UN he wanted to know if any UN troops had entered into the fight yet. That is what they was interested in more than anything else. It seemed they were trying to find out whether the UN troops was into the fight yet or if they wasn't in yet.

Senator POTTER. Did this interrogation take place the same day that you were captured?

Sgt. WEINEL. Yes, sir; the next day.

Senator POTTER. How many were captured in this one group?

Sgt. WEINEL. There was fifteen of us.

Senator POTTER. Fifteen?

Sgt. WEINEL. Approximately fifteen of us. Then they took us to our own command post, and let us eat our rations, our own rations, and they treated us pretty good while we was there. But up until that time they didn't take any prisoners at all. So we got the idea through this interpreter that they had been promised that if they take prisoners they would get two thousand dollars in American money for every American prisoner they took.

Senator POTTER. You felt that that was true as a result of the conversations that took place with the interpreter?

Sgt. WEINEL. That is right. He give us the idea that they would get two thousand dollars American money out of each one of us, is the word I got from him.

Senator POTTER. And he also told you that prior to this time they had not been taking prisoners?

Sgt. WEINEL. That is right.

Senator POTTER. They were killing them as they captured them?

Sgt. WEINEL. Yes, that is right. Then, of course they went ahead and had all of our watches and everything like that taken away from us, all of our personal articles, and was starting into going down through the dead bodies and get the articles off them. They kept us there in that one, in our own command post there for three days.

Senator POTTER. But you had rations, your own rations to eat?

Sgt. WEINEL. Yes, plenty to eat there. Then on about the third day—I mean, they didn't pay too much attention to our planes. They was running around there all the time, and never paying any attention to us. The third day, however, the planes come in there and they strafed us, and there was three of our boys killed outright and there was two injured pretty seriously by our own planes.

Senator POTTER. In other words, the strafing killed three of the prisoners?

Sgt. WEINEL. That is right.

Senator POTTER. Three out of the fifteen?

Sgt. WEINEL. And the rest of us we got out of the building and they collected us up and got us in a ravine there and hid us there until night, and when night come they started us back. They had a hospital, they had set up a hospital right next to this town there, and we left what men was really wounded bad, that couldn't hardly even walk, they left them there at this hospital and that left us about ten men or less than ten men to make the forced march.

Senator POTTER. And where did you march to?

Sgt. WEINEL. They took us to Taejon.

Senator POTTER. How far was that?

Sgt. WEINEL. Well, we rode the train the last twenty miles to Taejon, that was all. The rest of the time we walked. It is about, I guess, seventy or eighty some miles.

Senator POTTER. You pointed out in the map your position when you were captured, the lower part of the Pusan perimeter.

Sgt. WEINEL. Yes, sir; right in here, sir [indicating]. They moved us into Taeju and then on to Taejon.

Senator POTTER. And you marched that whole distance with the exception of the last twenty miles?

Sgt. WEINEL. We rode the train from this twenty miles here into Taejon. That is where we rode the train in.

Senator POTTER. How long did you take to make that distance?

Sgt. WEINEL. I don't have any idea, sir. I lost track of all time. They was just giving us what we could barely get by with to eat.

Senator POTTER. Did they feed you once a day or twice a day?

Sgt. WEINEL. Once a day, just about. And that was very skimpy.

Senator POTTER. What would you have?

Sgt. WEINEL. Most of the time it was rice, either a rice ball or rice soup. There wouldn't be too much of it, either.

Senator POTTER. Did you got any medical treatment at all?

Sgt. WEINEL. No, sir, no medical treatment at all.

Senator POTTER. What were the conditions of the march?

Sgt. WEINEL. Well, we lost two men on the march.

Senator POTTER. There were ten of you that started off, you say?

Sgt. WEINEL. Yes, sir; and lost two on the march.

Senator POTTER. They died en route?

Sgt. WEINEL. That is right. We picked up some other prisoners at one of the towns later on, we picked up some more prisoners there. Of course out of that bunch we lost heavier since we picked them up than we did any other time. At one of the towns on the way we picked up, I would say about twenty of them, twenty other prisoners.

Senator POTTER. That was on the way on the march?

Sgt. WEINEL. Yes. At Chinchon there, they put us in cells there, in a jail there, they put us in these cells and our planes come and strafed the jail we was in. As luck would have it only one man was hurt, he got a board splinter from one of the boards that hit him in the back but it didn't injure him. But they was doing a good job of tearing the jail up, though.

Senator POTTER. Did they destroy the jail?

Sgt. WEINEL. Yes, sir; they done a good job on it. I think that was the only building that was left. There had been a big prison there, I think, at one time, and that was the only building that was left, you know, in the ring of this concrete wall around it, about the only building left standing.

Senator POTTER. What was the cause of the death of the two original ten?

Sgt. WEINEL. What was that, sir?

Senator POTTER. What caused the death of the two that died en route?

Sgt. WEINEL. Well, one was dysentery, and the other was—he got stomach cramps. I don't know. He got stomach cramps and he never could straighten up. He just doubled over and we couldn't get him straightened up at all.

Senator POTTER. Were they given any medical attention?

Sgt. WEINEL. No, sir; they wasn't. However, all of us had stomach cramps at one time or another, for lack of food and what food they did give us just seemed to cause stomach cramps.

Senator POTTER. What was the treatment of the ones who had physical disabilities or had dysentery or stomach cramps?

Sgt. WEINEL. Didn't have any, sir, no medical care at all.

Senator POTTER. Did they try to have them keep up with the march?

Sgt. WEINEL. Yes, sir. They marched us awful fast, I mean they was moving us awful fast, and after we got back to Chinchu, they turned us over to, I think they called them civilian police. It seemed like to me from what I gathered they had been trained at Poyang, to take over these villages and towns as they took them over, and establish law and order. As they take us from one town to another, when they change their guards, and have new guards all the time, they was constantly trying to move us faster than we could move. I mean, they was all the time rushing us.

Senator POTTER. Did they beat you?

Sgt. WEINEL. Yes, sir; they did. If you didn't keep up or for any reason you lagged back, they would take a rifle butt and hit you with the rifle butt, or some of them would even kick you. That is, to have you keep up with the rest of them. We had some men that—especially, you know, they give you a little break and start you out again. That was always the hardest, starting out after a break, if they give us a break.

Of course none of us had any shoes, and walking on that ground all of our feet was—well, there was scars on top of scars, you might say, and blisters on top of blisters. They finally got us up there and got us on the train and then they took us on into Taejon and put us in prison there.

Senator POTTER. You stated that enroute you were transferred from the North Korean military guard to some type of civilian guard?

Sgt. WEINEL. Yes, sir.

Senator POTTER. Was the treatment of the guards any different?

Sgt. WEINEL. I think that the civilian guards, I think their treatment was rougher than the military guards.

Senator POTTER. Rougher than the military guards?

Sgt. WEINEL. Yes, sir.

Senator POTTER. Did they parade you through any of the towns enroute?

Sgt. WEINEL. Yes, sir; they did. They paraded us pretty near all the towns that we come through. They would parade us through mostly in the day time. They would always try to move us out in the daytime, and then by the time we get out of town, you know, it would be dark. By the time we got out of town it would be dark, and we would march all night in the dark. That is after the planes got so heavy that we could not march on the roads in the daytime. Our planes, any time we was on the road, would get them, so they started marching us at night. But up until that time if the planes left them alone, they just marched on the road in broad daylight and after the planes got pretty thick, every time they would hear one, they would go for cover too like the rest of us would.

Senator POTTER. Sergeant, did they endeavor to humiliate you as you went through the towns? Did they try to incite the civilian population?

Sgt. WEINEL. Well, we would have them strike at us with their fists as we would go through, as we marched through. Some civilians would strike at us while we was in line. They would strike at us or try and kick us, one or the two. But we didn't have too much of it, but we had it happen, in certain instances.

Senator POTTER. Did the guards try to keep order, try to keep the civilians away from you?

Sgt. WEINEL. No, sir; they didn't. They didn't try to keep them away at all. After we got to Taejon to the prison there, it was just more or less—I don't know. They had kind of an open house to all the army personnel. All army personnel and high officials, they could come in and molest us all they wanted to. I mean, the guards didn't pay no more attention to them as though they wasn't even there.

Senator POTTER. They would come in and beat you?

Sgt. WEINEL. That is right. Specially for clothing. They would come in, like some of us still had socks, and if they saw a pair of socks that didn't have no holes in them they would take them. Or trousers the same way, or jackets. We finally learned that is what they were doing, so we started tearing holes in the fatigues so they wouldn't take them, tearing the pockets off.

Senator POTTER. From the time that you were captured until the end of this march, were you interrogated?

Sgt. WEINEL. We were interrogated several times, yes.

Senator POTTER. Several times?

Sgt. WEINEL. Yes.

Senator POTTER. And what course did the interrogation take? Was the interrogation entirely on military intelligence, or what?

Sgt. WEINEL. No, they tried to question us about our families, about our families and—

Senator POTTER. What type of questions would they ask you?

Sgt. WEINEL. Well, they would ask us where our home was first, and ask us where our home was, and after the home they would ask us if we was married, if we had children, also if we had cars, and if our families had cars, and such things as that.

Senator POTTER. Did they try to indoctrinate you in any way?

Sgt. WEINEL. They did while we was at the prison, yes. They give us these books, they had books, about that thick [indicating], and they would give us them, and they told us we were going to have to sit up an hour every day reading, have one of our own men read the book to us, and explain it to us. But somehow or other they never did follow through with that.

Senator POTTER. How long were you at this prison?

Sgt. WEINEL. We was there about I would say around eighteen days, or something like that.

Senator POTTER. About eighteen days.

Sgt. WEINEL. Yes, sir.

Senator POTTER. And what was the general treatment in the prison?

Sgt. WEINEL. The general treatment in the prison was pretty bad. I mean, they wanted us to know that they was the boss and they didn't want no foolishness out of you, out of none of us, and they would take a delight, it would seem like, and just antagonize you, just to get you mad, you know, just enough to keep you mad, and keep you upset. They liked to do that. It seemed like little things that could upset you, they would just keep it up, just keep a steady role of it at all times.

Senator POTTER. Were you placed in a cell in the prison?

Sgt. WEINEL. We were placed in one room all together.

Senator POTTER. How many in the room?

Sgt. WEINEL. Well, at the prison there, when we got to the prison there was approximately sixty Americans and the rest were South Koreans. They had us divided off, had all the Koreans, South Koreans together, and they had most Americans all together. They had some of them in the room with the South Koreans but not too many of them.

Senator POTTER. In the room you were in, how many were in the room?

Sgt. WEINEL. In the room I was in, I would say there was about forty.

Senator POTTER. It was a very small room?

Sgt. WEINEL. I would say about the space of this right across here [indicating].

Senator POTTER. Not much more than ten by ten.

Sgt. WEINEL. That is right. That is about what it would amount to.

Senator POTTER. Could you lie down to sleep?

Sgt. WEINEL. You could lay down to sleep, yes. It was a concrete floor. It had been one of the modern buildings there that had been concrete, and it was a concrete building. It did have concrete floors, and you slept on the concrete floor, and a few of us had mats, they brought in some mats, but not enough to go around. And some of them had to sleep right on the concrete floor.

Senator POTTER. What was your food ration?

Sgt. WEINEL. Well, we got—you could either have a rice ball or the rice soup, whichever one you wanted. They would give you merely a small bowl. What it was was just the starch off the rice, the skim off the top of the rice, and if you happened to get a few grains of rice in it that was fine, but most of the time they made sure you didn't get too much rice in there.

Senator POTTER. How many times a day were you fed?

Sgt. WEINEL. We was fed twice a day. But, as I say, it was one small rice ball.

Senator POTTER. What were the sanitary facilities?

Sgt. WEINEL. Well, they had a latrine downstairs. Downstairs they had a headquarters set up downstairs and the guard says whenever you wanted to go, one of the guards would go down with you.

Senator POTTER. They would take you?

Sgt. WEINEL. Yes, and bring us back up.

Senator POTTER. You stated you were there about eighteen days?

Sgt. WEINEL. Yes, sir.

Senator POTTER. What type of interrogation did you receive there?

Sgt. WEINEL. Well, we had one of the boys that could speak Russian who was with us, in the prison camp.

Senator POTTER. One of the boys, is that one of the prisoners?

Sgt. WEINEL. Yes. He could speak Russian, some Russian, and he was the first one they took out, when they found out he could speak Russian they took him right up to some of the high officers, and later on they would come down and take us, or themselves, in the prison, and would ask us everything about our own equipment, you know, and they had captured a few of our new bazookas, and they was wanting there some of our boys to go and show them how to fire it, the new one. They was wanting the boys to show them how to fire it. But as far as I know, there wasn't any of them that showed them how to fire it. Also they was trying to get ones that knew something about mechanics to work on their jeeps, what they say would miss, you know, put-put, in other words missing on them. It was missing on them, that is what they were trying to tell you, and they wanted to get the missing out of them, on the jeep. And then—I don't know exactly the date, around the 28th of Sep-

tember around the 26th of September, rather, we could hear, you know, from the concrete, sleeping on that concrete floor, you could hear a dull thud in the far off distance, and we thought the Americans was moving up. We didn't know for sure but we had an idea that is what it was. Very next day one of our boys died in the prison there, he had dysentery, and we had a burial detail out to bury him and one of our planes come over and dropped leaflets. They had the scissors cutting across Korea, by Inchon up there, and so we knew then that they had made a landing up above us. Then along towards that evening, some of their troops was going south, coming from the north, and they was really beat, so we know darn well that the Americans had landed and was pushing, was on the push. So as soon as them leaflets come, as they dropped them leaflets, they doubled our guards on us, doubled our guards right then. We started getting mortar fire, I mean artillery in the town, and that is when they started moving. They started moving out then.

That night, a lot of rumpus was there, you could tell they was moving furniture and everything. About four o'clock in the morning they come up and woke everybody up and told us we were going to Seoul, that they was taking us to Seoul, that we would have blankets and everything in Seoul, that they was going to take us all to Seoul. So we could see through the window, and they had a partition in the building on the side where the South Koreans were and we could see them, they was tying them all up, tying all their hands together. After they got all their hands together they took them outside and it was shortly after that we heard rifle fire. It wasn't too long until here they was coming back up for us. So we figured then what was coming off, I mean what they was up to.

Senator POTTER. Before you go into that part of it, you stated that at the prison they gave you certain books to read, is that true?

Sgt. WEINEL. Yes.

Senator POTTER. What were the books?

Sgt. WEINEL. Well, it was more or less the Communist aims and their plans. It was more or less their plans of their government and so forth and so on, like that.

Senator POTTER. Did they ever question you, or try to propagandize you into accepting communism, and that the Americans were the aggressors?

Sgt. WEINEL. They started. They kept questioning us about why we was fighting, why we would fight and everything like that. They wanted to know the reason why we fight them, that they wasn't wanting to fight us but they had to have their freedom. Of course they was the North Koreans, of course. And that that is the only way that they could see they could have freedom, was by fighting the South Koreans, and that we had no business in it, that we was more or less intruders into the fight.

They tried to a certain extent, but not too much.

Senator POTTER. Can you recall the exact titles of the books or documents you might have read?

Sgt. WEINEL. No, sir; I can't.

Senator POTTER. That is, at the prison camp.

Sgt. WEINEL. I do know, though, that the book had been in Russian and somebody had interpreted it into English. But a man would pretty near have to know something about Russian before he

got too much out of it. You would go on and pretty soon you would find a Russian word that you wouldn't know anything about.

Senator POTTER. You stated in the beginning that they told you that you were to study an hour a day.

Sgt. WEINEL. Yes.

Senator POTTER. Did they ever enforce that?

Sgt. WEINEL. No, sir; they never did enforce it.

Senator POTTER. Did you have any so-called classes while you were in the camp?

Sgt. WEINEL. No, sir. They were supposed to have them but for some reason or other they never did start them.

Senator POTTER. Were you ever called before any of the officers there for interrogation?

Sgt. WEINEL. Yes, sir. They interrogated all of us there.

Senator POTTER. How did they handle you when they interrogated you? Did they beat you at that time?

Sgt. WEINEL. No, they would threaten you. They would threaten if you don't tell the truth that they would shoot you. They put that very plainly. They was all the time pointing a gun at you for some reason or other, if for nothing else for the fun of it. They try to threaten you with the weapons, yes, but I don't think many were frightened too much on it because by that time they were getting pretty well used to having to look down a rifle barrel. But other than that, they didn't beat us to that extent, but they did while we was in the prison, they did, they was constantly beating and hitting somebody.

Senator POTTER. You say they allowed a lot of other people to come in and have sort of a field day?

Sgt. WEINEL. Yes, sir. It was more or less like a three-ring circus, what it was. Of course, I was a little older man than the rest of the boys and they couldn't get over how long I had been in the army and not being more than a sergeant. They said in their army you would be at least a major, if you had been in the army as long as I had. That is the way they were working it. I didn't try to explain it to them, sir.

Senator POTTER. And when these unauthorized persons or apparently they were authorized but they were not part of the prison force, when they would come in, I understand that they would not only steal your clothes, but they would also beat you up?

Sgt. WEINEL. That is right. You see, they hated, for some reason or other—if you couldn't talk their language, they would get awful mad at you, and when they got mad they would start swinging. It is one of those things. One incident in particular, he is a little joker anyway, he would come in there and we come to find out he was a captain, equal to one of our captains, and he was in the tank outfit. He come over to me and he motioned me to stand up. I stood up and he started jabbering to me in Korean, and I told him no understand, no savvy, and it made him mad. He just doubled up his fist and hit me in the stomach as hard as he could hit me. Naturally, I didn't have anything on my stomach and I just keeled over. That is one incident that happened, but it was nothing, because that happened every day.

Senator POTTER. All right, then. You stated that they started to move out about in the middle of the night?

Sgt. WEINEL. Yes. They doubled our guards on us and they tied us and tied the Americans, tied the Americans six and seven men to a group. They just had a piece of communication wire and they would just tie seven men together. Then they would take them out. Shortly after they left the building, we would hear another firing. The bunch that was tying us up was all the time tying. Myself, I kept moving towards the rear. Every time they would tie some up or anything like that, I would move back, and I figured if they made a slip I was going to make a break for it, figuring that it was pretty well to die making a break for it as to let them take me out and shoot me. But they didn't make no slips.

Senator POTTER. How did they tie you together?

Sgt. WEINEL. They tied us together with wire. There is the scar on my wrist there from the wire they had around me. They would tie your hands to the wire. They had a string of wire and they would make a loop in it and stick your wrist in it, and tighten the wire. They would go to the next man and do the same thing, whatever it happened to be, the right or left wrist, whatever they could get a hold of to turn him around. That is the one they tied into the wire. Towards the last they got hurrying pretty much, and the group before me, they got us in both groups downstairs, and I got to watch them shoot the group just before me. I mean the group that they took out.

Senator POTTER. You watched them shoot that other group?

Sgt. WEINEL. Yes, sir. The first thing I knew when I stepped out there was they had M-1 rifles, and armor piercing ammunition they had captured from the 24th Division when they was in there before, in Taejon.

Senator POTTER. How many men did they have doing the shooting?

Sgt. WEINEL. They had six or seven of them doing the shooting.

Senator POTTER. All with rifles?

Sgt. WEINEL. Yes, sir; all with rifles. And they had a ditch dug around the court, the wall inside the prison yard. They had a ditch dug around this here wall that come up this way and then up to an "L" here.

Senator POTTER. An "L" shape?

Sgt. WEINEL. Yes. And when I stepped out there they had shot all the South Koreans up in the upper part here, and they then started on the Americans, finished out up here, and finished down this way.

Senator POTTER. When they were taking them off to this trench, what would they have them do, just stand there?

Sgt. WEINEL. Sit down in the bottom of the trench.

Senator POTTER. Sit down in the ditch?

Sgt. WEINEL. And the minute they sat down, they would open up on them. The group I was in, we was sitting, they were making us sit down, and we just sit down and they opened up on us. I was sitting down, you know, sitting down in the ditch with my neck up this way, with my hands on my leg like this, and like that, and they couldn't have been any more than two yards away from us, shooting down on top of us. He got me in the hand, hit my hand. So all of a sudden the firing stopped and I was still alive. I didn't know just what I should do or shouldn't do. So I figured well, I bet-

ter start doing something or something is going to happen for sure. So I just jumped over against one of the other men and just laid there. The next thing I knew I heard shovels, they started burying us then. They started at the other end of the line and just come on up and throwed enough dirt on us to cover us up. When that dirt was coming up towards my head, I come darn near getting panicky, but I made myself sit there and hope and pray that they didn't put enough on me to smother me.

Senator POTTER. You laid there and they covered you over with dirt?

Sgt. WEINEL. Yes, sir; they covered me over with dirt, too. It was just loose dirt, with enough to cover my head up. I laid there and after they got through I could breathe through that loose dirt, enough to get enough air to hold me for a while, and then after they got us all covered up they come back over again and took care of any of them that moved, any personnel that moved. They would finish them off then, give them a finishing shot. They was ready to take off. They left us to the last thing to take care of. They was all ready to go, they had everything ready to go to move out of town and left us for the last thing to take care of, They was burning the records there. That is the only light they had, when they was burning the records there.

Senator POTTER. We have some photographs here, Sergeant. They were taken apparently from that same camp. Can you identify the photograph [presented to witness]?

Do those look like the trenches you were put in?

Sgt. WEINEL. No, sir; this isn't it, sir.

Senator POTTER. That is not it?

Sgt. WEINEL. I don't believe so, wait a minute, let me make sure. This looks like it here.

Mr. O'DONNELL. Check the number on the back of it, will you?

Sgt. WEINEL. It is in the same order as this, yes, just a deep ditch. I believe the ditch I was in was a little deeper than that, at least a little deeper than that.

Senator POTTER. It was a deeper ditch than this?

Sgt. WEINEL. Yes.

Senator POTTER. This could possibly be the ditch where the Koreans were in?

Sgt. WEINEL. It could be, yes, sir.

Senator POTTER. All this while you were still bound together by this wire?

Sgt. WEINEL. Yes, sir.

Senator POTTER. And after they buried you over and then they went back, if there was any movement they shot again. Apparently you were pretty quiet and that one shot was all——

Sgt. WEINEL. I decided not to move at all.

Senator POTTER. And you showed good judgment.

Sgt. WEINEL. I guess it was for about a half hour, I didn't move at all and finally I had to get more air and so I moved my head until I got a hole down to my nose. It looked like a pencil nose, what it looked like, from where I was at it looked like a pencil hole, you know. Where somebody stuck a pencil through the dirt. I stayed that way, I guess for about two hours, until I made sure that they were gone. When I didn't hear too much movement or

anything, I got my head out, stuck my head out, and I stayed that way until night. After dark I tried to dig my way out but I couldn't dig my way out at all. I had too much dirt that I couldn't throw away. This hand here was tied with these other fellows and I couldn't get it loose, and on this one the flesh was just hanging from the back of it, where they busted it all up.

Senator POTTER. Did you say your back was broken?

Sgt. WEINEL. The back of my hand, you can see it there.

Senator POTTER. How did that happen, Sergeant?

Sgt. WEINEL. That happened there, with the shot.

Senator POTTER. That was when you were shot.

Sgt. WEINEL. It struck my neck with one, in my collar bone, but the only real damage was to my hand. I mean it just barely broke the skin on my collar bone and neck. But when it hit my hand it shattered all the bone on this side of my hand. Of course it busted out the whole back of my hand and that was the only hand I had free that I could dig with. I dug out as much as I could, but I couldn't dig out enough dirt to keep from sliding back in on me, or throw it far enough away from me.

So I stayed in that position all that day, and all that night, and the next day I got hurting pretty bad, I had managed to get on my knees but I couldn't get my weight off my legs. All of my weight was resting right on the back of my toes. I managed to get up enough to where I could get sitting up but I couldn't get out, because one of these bodies was pinned across my legs. I couldn't move him to get the rest of the weight up.

If I could have moved him I could have gotten up and got out myself. But I got to hurting so bad, so I started hollering for help. One of the boys said to holler [?]. That is the only thing I know in Korean. I started hollering it and as luck would have it some South Koreans found me. They was pretty slow about getting me out, of course. Bodies was all around me and I was down in all them bodies, and it took them quite a while to get me out of there. Besides that, our planes was working over Taejon pretty good about that time, too. Their women folks had those white aprons and they was flagging to our planes.

Senator POTTER. Because the enemy had left at that time?

Sgt. WEINEL. Yes, they had left by that time. But they had been running patrols back into the town. The enemy had been running patrols back into the town. But most of the main forces had taken off from the town, yes. They had taken off from the town. They took and hid me out for, I guess it was a day or two days, I don't remember which one it was, the South Koreans hid me for two days in one of the houses, until the Americans came in. Major Jones from the 24th Division was the first man to me, when I was liberated. Then I went through the normal procedure of coming back to the hospitals, and I spent about eight weeks in Japan, recuperating there before they sent me on.

I want to Camp Atterbury Hospital, at Camp Atterbury, and stayed there until I was released, which was in January 1952.

Senator POTTER. What is your medical rating now, Sergeant?

Sgt. WEINEL. I have a U-3 profile, sir. That is upper injuries and the hand. Other than that, I am in pretty good shape, except for my legs. My legs—I can't stand too much walking any more. I don't

know whether it was caused by the pressure on my legs or what it is, but I can't do the walking I used to do. But other than that, my physical condition is in good shape.

Senator POTTER. You are not a good man for a twenty-mile hike?

Sgt. WEINEL. I think I would have to pass that up.

Mr. O'DONNELL. How long would you figure you were actually buried alive?

Sgt. WEINEL. I would say just for about two hours, sir. It would be longer than that, it was two hours that I stayed without moving at all, about an hour before I moved any at all, and then I got the pencil hole. I would say it was about six hours.

Mr. O'DONNELL. Six hours all told?

Sgt. WEINEL. Yes, because it was early in the morning and I waited until that evening before I come out. It would be six or eight hours at least.

Mr. O'DONNELL. Sergeant, how many American prisoners were taken out in groups of seven that were tied and shot that day?

Sgt. WEINEL. I don't have any idea, sir. There was sixty Americans, and forty South Koreans in the prison where I was at. And to my knowledge, as I heard later on from different sources, another bunch, a group about two miles from there, there was three hundred of them in there and not a man came out alive, out of three hundred.

Senator POTTER. Not a man came out alive?

Sgt. WEINEL. Not a man.

Senator POTTER. And as far as you know, you are the only man from there?

Sgt. WEINEL. I came out and a little Pfc came out with me. He was from New York. But he died two hours after we was back in American hands.

Senator POTTER. Did you know him when you were trying to get out?

Sgt. WEINEL. Well, he was way up at the other end, sir. But we did holler back and forth to one another, when we dared to, just enough to find out who he was and he found out who I was. But other than that, when I started yelling for help, he was starting to holler, too.

Senator POTTER. You say he died soon after that?

Sgt. WEINEL. Yes, sir; he died two hours after he was in American hands.

Mr. O'DONNELL. That number, sixty Americans PW's, is that a pretty firm number in your mind?

Sgt. WEINEL. Yes, sir. You see, they had a chart on the inside of the prison with all of our names on it, and would count how many of them. It would run around sixty.

Mr. O'DONNELL. Do you know anything about any other than South Koreans and American PW's that were killed?

Sgt. WEINEL. That is the only one I saw. Like I say, about two miles from there there was some. I heard it was a church, I heard it was a church and I heard the other three hundred were massacred there, mixed Americans and South Koreans, both.

Senator POTTER. Any others?

Sgt. WEINEL. I don't know for sure. That is just hearsay.

Mr. CARR. Sergeant, when you finally did get up with the help of the South Koreans, was it at night at that time?

Sgt. WEINEL. No, it was daytime.

Mr. CARR. Did you at that time get a chance to look around and see the extent of the ditches in the area, how big this "L" ditch was?

Sgt. WEINEL. No, I didn't. They made a stretcher and got me out of there as soon as possible because they were afraid the enemy would come back into the village.

Mr. CARR. One other thing, Sergeant: You were wounded before you were captured.

Sgt. WEINEL. That is right.

Mr. CARR. So that at the time you were captured you already had a wound in your leg and hip, I think?

Sgt. WEINEL. That is right.

Mr. CARR. And then you sustained these additional wounds in your hand and shoulder or collarbone?

Sgt. WEINEL. Yes.

Mr. CARR. All the time during this march you had no treatment? Until you were taken back to the Americans, you had had no treatment for any of these wounds?

Sgt. WEINEL. No, I didn't have any treatment for any of the wounds, only what I could find, you know. I found clean clothes in some of these houses we would stay in, and I used that to bandage my own wounds but other than that there was no medical care at all.

Mr. CARR. At the time you were noticing through this opening that the South Koreans were being tied together and taken out and subsequently you would hear shots, it was very obvious to you that the evacuation of that particular area was taking place?

Sgt. WEINEL. That is right.

Mr. CARR. And along with this?

Sgt. WEINEL. That is right. They had their packs already packed, the rice bags hanging to their packs and so forth and so on.

Mr. CARR. So what would appear to be their last official act in evacuating the town was to massacre the remaining prisoners?

Sgt. WEINEL. That is right. We had a few wounded men that couldn't even walk and after they took all of us out that could walk, they went back up and carried them down and threw them in the ditch, just bodily threw them down there in the ditch and shot them.

Senator POTTER. And they then shot them?

Sgt. WEINEL. Yes.

Senator POTTER. Did you witness any of them being hit in the head with any objects to kill them that way, or to finish them off?

Sgt. WEINEL. Well, I imagine shovels, they used the shovels to a certain extent, yes.

Senator POTTER. When they would shove them in, they would hit them?

Sgt. WEINEL. Yes. Because out of the whole bunch that was shot there, I never heard one man ask for mercy, none of them did. In fact, there was one of the boys that wasn't hit good and he even asked them to give him another. Out of that many men, no man cracked, I thought that was quite unusual.

Senator POTTER. It certainly is.

There is a photograph here that was in the War Crime Commission report. I am wondering if you might identify that trench.

Sgt. WEINEL. This is it right here. I will never forget that as long as I live.

Mr. O'DONNELL. We have a positive identification on this.

Sgt. WEINEL. And I come out about right down in here, I think, my location [indicating].

Mr. CARR. Sergeant, there is no question, then, in your mind, that this was an official act?

Sgt. WEINEL. That is right. It come from a higher up some place. The only man mostly that we got to see was one fellow they called Sarge. I don't know him. He was a regular Korean soldier. The guards was all civilians, civilian guards. But every once in a while this here fellow they called the sergeant would come in and check us over and ask us a few questions and so forth and so on, like that. I think he was the man that was in charge of us.

Mr. CARR. If this was an official act of international communism, I don't suppose, then, you have any great admiration for American communism?

Sgt. WEINEL. Not a bit, sir. No use whatsoever.

Senator POTTER. Have you ever been contacted since you have been home by Communists?

Sgt. WEINEL. No, sir; I haven't, sir. My wife has been scared of the thing ever since I come home. She thought maybe they might try and got a hold of me there, but they never did.

Senator POTTER. Sergeant, after all you have gone through, I do not think you have anything to worry about.

Sgt. WEINEL. I am not scared of them, anyway.

Senator POTTER. You mentioned that one of the GI's spoke Russian and they used him or took him out for an interview first.

Sgt. WEINEL. That is right.

Senator POTTER. Do you recall, was he returned to the unit?

Sgt. WEINEL. He was returned to the prison, yes.

Senator POTTER. Was he shot with the rest of them?

Sgt. WEINEL. Yes, he was shot with the rest of them. We had a few of them collaborate with them, a few of the prisoners, and they still shot them, too, right along with the rest of us.

Senator POTTER. You had some that tried to play ball with them?

Sgt. WEINEL. Yes.

Senator POTTER. As I understand, the prison was in charge of civilians.

Sgt. WEINEL. That is right.

Senator POTTER. But you had some military people as well?

Sgt. WEINEL. Well, the headquarters they had downstairs was all military.

Senator POTTER. All military?

Sgt. WEINEL. Yes.

Senator POTTER. Who was in charge?

Sgt. WEINEL. That is what I say. I think this sergeant, he was a fellow they called the sergeant. He seemed to be one that was in charge of the prisoners, and also of the guards that guarded the prisoners. But when they doubled the guards, they put army guards on us then, army guards with the civilians.

Senator POTTER. Who did the shooting? Was it army personnel or civilian personnel?

Sgt. WEINEL. Both, sir.

Senator POTTER. Both?

Sgt. WEINEL. Both, yes, sir. One thing I might say, too, on that, in the prison there they had what you call these meetings, they had these big high official meetings, and they would have a speaker come and speak to them. Boy, he would give them—he had a line of propaganda. We couldn't understand anything he said, but according to the men's actions when they left that meeting, it was pretty inspiring to them, you know. It was very inspiring to them.

Senator POTTER. Now, those were meetings of the civilian personnel at the prison?

Sgt. WEINEL. To the military. No, their own military.

Senator POTTER. Their own military.

Sgt. WEINEL. Yes, sir; their own military personnel.

Senator POTTER. And after these meetings they would be pretty well charged?

Sgt. WEINEL. They would come out of there like nobody's business.

Senator POTTER. And as a result of those meetings and what actually happened, there can be no doubt in your mind, then, that this was a planned command action?

Sgt. WEINEL. That is right.

Senator POTTER. It wasn't just a result of some local commander?

Sgt. WEINEL. No. Because as I say, they had everything ready to go, everything was ready to go and they left us to the last thing to take care of. They even had soldiers waiting around there to move out, with their full gear on. They just left us to the last detail to take care of.

Mr. CARR. Do you recall whether or not there was one of these haranguing meetings to their military personnel shortly before this action?

Sgt. WEINEL. Yes, there had been.

Mr. CARR. Is your memory fresh enough on that after this experience to recall whether or not it was just shortly before, any idea about how long before?

Sgt. WEINEL. Well, about every three days they had a meeting, sir, about every three days.

Mr. CARR. Do you recall whether or not they had this type of meeting on the day it happened?

Sgt. WEINEL. Not on the day it happened, no.

Mr. CARR. Not on the day it happened?

Sgt. WEINEL. No.

Mr. CARR. Do you remember whether it was the day before?

Sgt. WEINEL. The day before. I think they had one the day before.

Mr. O'DONNELL. That becomes very important, Sergeant. Can you be sure that it was the day before that they had a meeting of this nature?

Sgt. WEINEL. Yes, sir; I am almost positive it was the day before, I know it wasn't the day, the night—like today and the night, it wasn't like that. It was the day before that.

Mr. O'DONNELL. What was the highest ranking officer that you saw while you were in the prison?

Sgt. WEINEL. I don't know too much about their rank, sir, but there was four of these stars across here. I don't know what their rank is.

Senator POTTER. Sergeant, the reason that this is important is the fact that evidence has been secured, starting the 26th or 27th, that practically all over South Korea at that time the North Koreans were killing their PW's. So it had to be a command order rather than just a prison order.

Sgt. WEINEL. That is right. Because up until that time they wouldn't let any of them shoot us, but they could beat us all they wanted to. They didn't care about beating us at all. Of course, the guards they threatened to shoot you a few times every once in a while, but that was just a more or less everyday occurrence.

Mr. CARR. But you did find out, after you were rescued—that may not be the word, but after you were taken from the ditch by the South Koreans, you did find out that there had been a similar incident about two miles away?

Sgt. WEINEL. Yes.

Mr. CARR. And in which you had heard, at least, there were three hundred persons?

Sgt. WEINEL. Three hundred South Koreans and Americans both.

Senator POTTER. Well, thank you kindly, Sergeant. We will probably have your public testimony some time Wednesday.

Colonel Hanley? Colonel, we would be interested in getting your observations. You heard some of the experiences that the men have testified to this morning and this afternoon. I know that you were in on this war crimes atrocities from the very beginning. I would appreciate your giving your observations as you see fit to present them. I would like, first, to have you comment on the Taejon massacre that was just mentioned.

**TESTIMONY OF COL. JAMES M. HANLEY, U.S. ARMY, CAMP
ATTENBURY, INDIANA**

Col. HANLEY. I haven't had an opportunity to——

Senator POTTER. Colonel, first would you identify yourself for the record?

Col. HANLEY. James M. Hanley, Colonel, United States Army, stationed at Camp Attenbury.

Senator POTTER. Where is your home?

Col. HANLEY. Mandan, North Dakota.

The Taejon massacre is, as you were told and are well acquainted with, is well documented. It was one of the larger cases and one of the very early ones that we ran into and was worked on over a period of many, many months, in securing affidavits and photographic evidence that you have, the details of which I have not yet had a chance to refresh myself on at this time.

There were those killed in the prison as has been mentioned, and also a warehouse, I am quite certain it was, where some three hundred or something in that neighborhood, were also killed. As far as I can recall, I do not think there were any survivors out of that second three hundred group.

Senator POTTER. You think they were all killed?

Col. HANLEY. I think they were all killed. And as you know, there were one or two survivors out of the jail. Whether or not these things were done under orders of Korean higher headquarters of the North Korean army, I don't know. There is nothing in the record, at least there wasn't by the time I left the war crimes section, to indicate that any orders to that effect had been issued.

But as Mr. O'Donnell has stated, the fact that these things took place around the same time, on the 27th of September, when the North Koreans were retreating, would give some credence to the thought that there must have been some plan, something that came down, from higher headquarters as to the disposition made of the prisoners. I know that at Mokdow, which is over on the southwest coast, way down in the corner of Korea, that there was large massacres of civilians, and there is quite a detailed story in the files as to a meeting held by the jailers and North Korean army personnel, the civilian personnel, who were at the jail and in Mokdow at that time. It is a very interesting story, if you can get a hold of it, to read. There this meeting was set up for the purpose of discussing what to do with the prisoners. The matter of taking them with them was quickly disposed of as being impractical. They realized they couldn't do that. The other alternative of disposing of them in some manner was the only other thing discussed. It is rather surprising to read that document, that story, and realize that no one suggested the possibility of just leaving them or abandoning them or turning them loose. That was not even mentioned.

Senator POTTER. That was not an alternative?

Col. HANLEY. That was not an alternative that was discussed or suggested.

Senator POTTER. And those were civilians?

Col. HANLEY. Those were South Korean civilians. They disposed over those civilians over a period of about three days, taking them in large groups out to a coal mine up in the mountains and shooting them and taking some to an airfield and shooting them there.

Senator POTTER. Did this include women as well as men?

Col. HANLEY. Yes, sir; it included women as well as men, too.

Senator POTTER. When did that take place?

Col. HANLEY. When?

Senator POTTER. Yes.

Col. HANLEY. About this same general time. A great number of those war crimes took place in the withdrawal of the North Korean forces into North Korea. So far as we know, that is. Of course, there are many others that took place while they were in South Korea, and afterwards. But in many cases it wouldn't be discovered. I think one reason that we know about so many in that period is that we discovered them immediately.

Senator POTTER. You came right through, yes.

Col. HANLEY. We came through and discovered them. Mokdow is also one of the cases in which we had very extensive investigation. I had investigators over there at Mokdow for many weeks, going into that particular case.

Senator POTTER. Can you give us the information you secured concerning the so-called death march from—

Mr. O'DONNELL. That was the Seoul death march, that was the principal one, and the secondary would be the Sunchon massacre,

and the other would be about thirty miles north of the Sunchon Tunnel, a general picture, if you will.

Col. HANLEY. From the case files, that whole story is a little confused because a lot of that comes from North Korean prisoners whom we had captured, who participated or knew about it, who had been in on the marches, a lot came from survivors. The average survivor would know just a little bit. Sometimes the story is a little confusing, sometimes dates are wrong, you can't be too sure. So the story, unless it can be verified in talking with people from little switch and and big switch, unless that can be clarified, the story is confusing.

But the fact that there was such a death march, the fact that they were forced on these marches at rapid speeds, under severe guards who wouldn't put up with any lagging and so forth, is well established.

How many died I don't think anyone will ever know. It is impossible to get at the number. But the men did receive severe, harsh treatment, and they certainly had a lot of casualties. Some of them probably natural. With some of them their physical condition wore out on them and they finally died, others were killed, shot, some perhaps trying to escape, but it was a very severe march.

Mr. O'DONNELL. Colonel, taking the Seoul march, from whence did the American PW's originate that participated in that march, from one point or several points?

Col. HANLEY. There in a big prison in Seoul, where they had assembled a large number of American prisoners. They marched them north to Pyongyang. They collected them, of course, from the Pusan area up until the time of the breakdown.

Mr. O'DONNELL. According to the army records, based on the affidavits, there were 396 American PW's who started out on the march. I believe that is the accurate figure. And they ended up at Pyongyang with 316. So they lost eighty men enroute. Do you have any comments on those figures, and the causes of death developed by investigation by members of your staff?

Col. HANLEY. Well, I wouldn't at this point, without going back and checking those files, want to go into the details of that. I know my memory is that in some cases they were killed, shot. In other cases they probably died from exposure and wounds and so forth.

Mr. O'DONNELL. Briefly, our problem is this: As I mentioned before, Colonel, and we took you by surprise, I know, on the Taejon massacre, the request I would like to make is that you do a little research, if you can, tomorrow, on case twenty-eight, which is the massacre case, to give us a general picture based on the investigative file in the possession of the army. I know it is hearsay, but is information that has been—

Col. HANLEY. Well, it is information I was responsible for gathering, initial records.

Mr. O'DONNELL. You were in charge at that time. I would like to touch briefly on the approximate number, and I know it cannot be put down to a definite figure, the number of civilians killed. There is an indication it was one to five thousand South Koreans killed at the same time. We would also like to request that you go into cases seventy-five, seventy-six and sixty-three, and as to figures on causes of death and so forth. Because although we have

some survivors, we can not bring in the complete picture as I indicated to you this morning and have it correlated in essay form. If you can portray those pictures for us, we would very much appreciate it, because it would be the background and it would alert the American public as to what was coming, and then these other fellows that went through these atrocities can actually get up and tell their stories from a life standpoint. Can you do that for us?

Col. HANLEY. Yes, sir; very good.

Mr. O'DONNELL. The other point would be, and it is a most important one, if you could have—I am sure you can get a lift on it—brought in, and it is going a little outside of our actual survivor testimony, the other areas in which these atrocities were occurring, around September 25, 26, 27 and 28, which would indicate a definite overall plan. As you said, there was no alternative of leaving them. It is in point with what we are doing, although we will have no life survivors because it involves South Korean civilians. But we would like to develop from the dates in those cases to indicate fairly conclusively that there was a definite pattern established by the Chinese and North Korean command, probably North Korean, to liquidate rather than to evacuate or leave. Could you go into that for us?

Col. HANLEY. I certainly will. I kept, when I was chief of the War Crimes Section of the Eighth Army, a monthly—well, I had these figures compiled by months. There was a big peak in September. Now, whether that information is assembled over here and whether the War Crimes Section at the Pentagon has that, I don't know. But I certainly will attempt to find out and if it hasn't, to try to reassemble some of that information.

It is very obvious that the big peak in numbers of victims was in September of 1950.

Mr. O'DONNELL. Of course we are primarily concerned with a pattern. As I indicated this morning, we intend to use Lieutenant Colonel Todd to give the overall picture from the organization, plus statistical data to the present day. We would be interested in statistics, but not in each and every case. We are interested in the pattern as a planned operation at that time.

Senator POTTER. When you were with the War Crimes Commission, did you make reports to General MacArthur? He was commanding general at that time?

Col. HANLEY. Yes, sir. He was Far East commander.

Senator POTTER. Did you make your reports to General MacArthur?

Col. HANLEY. We did a report to the Far East command which went to the judge advocate's office of the Far East command, which in turn was utilized by General MacArthur's staff, to send the same figures that went into the United Nations report. It was a monthly report made by General MacArthur to the United Nations. Those figures contain all the statistics on the number of victims as of that time.

Senator POTTER. What we thought we would do, Colonel, would be to have you give that picture and then to have, as Mr. O'Donnell said, some of the men who experienced certain atrocities, or with eye witness accounts of such atrocities, either on the march or at those places, amplify from the specific atrocities that were com-

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mitted. I think your background coming first and then with their experiences, would give a better picture for somebody who is not familiar with the program.

So I hope we can plan on that. Our public hearings will begin Wednesday morning. I don't know just when we will have you, but I assume you will probably on Wednesday.

Thank you very much, Colonel.

Private Martin?

**TESTIMONY OF PFC JOHN E. MARTIN, 359 ENGINEER
AVIATION SUPPLY POINT COMPANY, BORDEAUX, FRANCE**

Senator POTTER. Will you help yourself to a chair.

Will you identify yourself for the record, giving your full name and your present unit?

Pfc MARTIN. Pfc John E. Martin, 359 Engineer Aviation Supply Point Company.

Senator POTTER. Where is that located?

Pfc MARTIN. Bordeaux, France.

Senator POTTER. You are back in France?

Pfc MARTIN. Yes, sir.

Senator POTTER. You do not feel too unkindly toward us for bringing you away from France?

Pfc MARTIN. No, it didn't hurt.

Senator POTTER. What is your home address?

Pfc MARTIN. 590 East Lewiston, Ferndale, Michigan.

Senator POTTER. I want to compliment you on coming from my state.

Would you tell the committee when you went to Korea and with what unit?

Pfc MARTIN. I landed at Pusan the 20th of July with the 29th Regimental Combat Team.

Senator POTTER. And when were you captured? Will you tell the committee some of the particulars on how you were captured?

Pfc MARTIN. I was captured the 31st of July at Chinju.

Senator POTTER. Can you point that out on the map?

Pfc MARTIN. I don't know whether I can or not.

Senator POTTER. Is that near the perimeter?

Pfc MARTIN. I walked all over this place but I never looked at a map of it. Here it is, right here [indicating].

Senator POTTER. What were the circumstances of your capture?

Pfc MARTIN. Well, we were retreating pretty rapidly, losing a lot of ground for ten days that I was there, and we had a battle, on the 27th at Haedong, and ever since then the outfit had been more or less split up. We weren't operating too closely under battalion headquarters. We were, but we were spread over such a thin line of communications—

Senator POTTER. You were pretty much on your own?

Pfc MARTIN. Yes, sir; just about.

Senator POTTER. What was your duty with the company?

Pfc MARTIN. A rifleman, sir.

Senator POTTER. Were you operating pretty much as a company unit or platoon unit?

Pfc MARTIN. We were actually down to squad level. Our platoon had four hills to hold in an engagement. The order came down to

retreat but there didn't seem to be any well led plan for the retreat and during it our squad was separated from the rest of the platoon. So we reported to battalion headquarters. We got in there about six o'clock in the evening. That was in Chinju. They were evacuating all the wounded, burning the records, getting ready to move out. They told us to go upstairs and sleep with the I&R platoon in their billet and if they came up and called these people not to bother falling out because they would be going on patrol, but when they came to get us, we had to be ready to move. They came up about two o'clock in the morning and told us to get ready, and we got on a truck. I thought we were going south but we didn't. They put us on a hill and told us not to fire at any troops on the roads because it was our battalion retreating. We sat there all night long and the sun came out in the morning and the gooks were walking down the road. Somebody forgot to put a checkpoint there.

Senator POTTER. Your unit had gone by?

Pfc MARTIN. The battalion had gone by and the North Korean army had been going by all night long. And they didn't know we were up there and we didn't know they were there. We clobbered them for a little while. But my squad was the only regular infantry there.

The rest of them were truck drivers they just grabbed because they needed them in a hurry and people like that. We didn't have any machine guns or bazookas or anything. We had a fire fight until about 12:30 that afternoon, and this one sergeant called attention to the fact that there was help coming, there were some tanks coming from Chinju. But they were North Korean tanks. They kind of leveled the hill out. So about four o'clock that afternoon there wasn't very many of us left, and they kept yelling up for surrender, surrender.

This one little guy in a raincoat, a lieutenant, he would stick his head out and yell "Hey, GI," and a couple of strange words, I don't know whether you want them, "come down and surrender," and then stick his head back in.

Senator POTTER. That was a North Korean?

Pfc MARTIN. Yes, sir. Nobody else was firing, and I was beginning to get a little worried. He yelled at me a couple of times, and shot around my hole a little too close. So I yelled at the guy to throw me a grenade, a buddy of mine.

This hill was a Korean graveyard and they had little mounds all over. He was on the other side of this mound. He was going to throw me one. The grenade landed on the side of my hole, and I picked it up and looked at it. It didn't have a pin or a handle on it. I threw it away but the concussion got me a minute. The next thing I knew a guy was standing there and this lieutenant was yelling surrender. So I didn't have a chance.

Senator POTTER. How many were captured at that time?

Pfc MARTIN. Three of us. There were more men on the hill, and when they got the three of us at the bottom they said to tell the others to come out. We said there wasn't any others, and he said, "Yes, there is plenty up there." We said there wasn't any. He yelled up there again, and said, "Look, these guys are here, and we are not shooting them. Come on out."

A couple of wounded guys came out and they shot them.

Senator POTTER. Shot them as they were trying to give themselves up?

Pfc MARTIN. As they were trying to give themselves up.

Senator POTTER. Then what happened?

Pfc MARTIN. They took us into this aid station of theirs and there was two more Americans in there. We stayed in there for about an hour and they threatened us and waved guns at us and all of that stuff and finally told us to come outside, and they made us line up. So we lined up and I guess everybody thought they were going to do it right then but they didn't. They marched us into Chinju.

Senator POTTER. How far were you from Chinju?

Pfc MARTIN. Three miles, sir. We met seven more Americans there.

Senator POTTER. During this time did they beat you at all?

Pfc MARTIN. Just slapped us around a little bit, sir. They were pretty teed off at us at the time. They just took us into Chinju and a man met us and said he was from the International Red Cross. He was a Korean, he had a little red arm band on, and he told us we would be given all the consideration under the Geneva Conference and all of this stuff, and let us make a litter for one man that was pretty badly shot up. In fact, two of the guards even helped us carry the litter for a couple of blocks there.

They took us in front of this big house in Chinju, and he told us that we would be given food and billets there. We ended up where we slept out in the yard in front of this place. We had about four little rice crackers apiece for our food. We never did see him again. I don't know what happened to him.

Senator POTTER. Do you know whether he was a representative of the Red Cross?

Pfc MARTIN. He didn't show any identification. I don't believe he was, personally. I didn't have any way of knowing.

Senator POTTER. He just wore a little red cross arm band?

Pfc MARTIN. Yes, sir. I think he was just for propaganda purposes. We left the next morning for the march to Taejon.

Senator POTTER. How many of you were in that group all together?

Pfc MARTIN. At that time there were twelve of us, sir. I don't know exactly how long it took us to get to Taejon, to tell you the truth.

Senator POTTER. It is quite a way, isn't it?

Pfc MARTIN. It is a pretty good way, sir.

Senator POTTER. About how far would you say it would be in miles?

Pfc MARTIN. As the crow flies it may not be very far, but it is a pretty good distance walking up and down hills and around curves and so on, and we went cross country a good part of the way anyway.

Senator POTTER. You do not recall how long it took you?

Pfc MARTIN. No, sir, I believe it took us about five days.

Senator POTTER. About five days?

Pfc MARTIN. We didn't travel too fast the first five days.

Senator POTTER. Did you travel day and night?

Pfc MARTIN. Just at night, sir.

Senator POTTER. Then what would they do with you during the day? Put you in houses or what?

Pfc MARTIN. Yes, sir, in a house. And once they hid us in a big drainage ditch.

Senator POTTER. A drainage ditch?

Pfc MARTIN. Yes, sir.

Senator POTTER. During that march how many guards did you have for the twelve of you?

Pfc MARTIN. I think we had about eight, sir.

Senator POTTER. About eight guards for twelve men?

Pfc MARTIN. Yes, sir.

Senator POTTER. Were any of you wounded?

Pfc MARTIN. Yes, sir. There were, I believe, seven out of twelve wounded.

Senator POTTER. Did they receive any medical attention?

Pfc MARTIN. No. They let us clean them up as best we could, and a couple of us had our first aid packs left, and they let us put those on the men. But actually as far as any drug or any real medical treatment there wasn't any at all.

Senator POTTER. What happened during the march? Did the guards beat you at all?

Pfc MARTIN. The guards, sir, the first ones we had until we got to Taejon, didn't treat us too badly.

Senator POTTER. Were these military guards or civilian guards?

Pfc MARTIN. They were soldiers. They were part of the organization, the regiment, that we had been fighting, and I imagine they were quite happy to get away from the fighting. They were living off the fat of the land and any time they wanted something off South Korea, they took it. If they wanted something, we would stop at a house and they would have the people kill a pig or something like that and didn't treat us too badly.

Senator POTTER. Did you share in their loot?

Pfc MARTIN. Yes, sir.

Senator POTTER. And then after you got to Taejon what happened?

Pfc MARTIN. We stayed there—when we first got there, there was quite a large group of prisoners there. Major McDaniel was there, and I believe, I am not sure, but I believe there were about sixty men there.

Mr. O'DONNELL. I don't believe the major is living any more. We will have to eliminate that name in public.

Senator POTTER. This was a regular prison or prison camp?

Pfc MARTIN. I believe it was the upstairs of the old police station. I may be wrong, but I think it was the same building that the sergeant stayed in.

Senator POTTER. How long were you there?

Pfc MARTIN. We were there about five days, sir. While I was there that is the first time I ever really ran into the type of brutality or anything. On the way up there to Taejon, the reason it taken us so long was we had to travel across country to get away from their troops coming down at night, because they would just make a punch bag out of you all the way up the roads as you passed.

Senator POTTER. So they took you across country?

Pfc MARTIN. To keep us away from that. But when we got to Taejon is when they first claimed they were going to give medical aid, they took one man over and cut his leg off. I wasn't there when the actual operation took place, but the medico was there that is alive today, and he said they did not give the man any anesthetic at all. And people were beginning to die then of dysentery. Those people had been there three weeks or so before we got there.

Senator POTTER. When you arrived, they had some PW's that had been there for three or four weeks?

Pfc MARTIN. Yes, sir.

Senator POTTER. You stated that there was a good deal of brutality at this prison. What form did that take?

Pfc MARTIN. Well, usually, sir, it was stealing. I had a pair of pretty good boots. When I got to Taejon they told me I better cut them up or do something, because if I didn't the Koreans would take them. They had already taken my cigarettes, watch and everything when they got me. I didn't have a chance to cut them up. I went downstairs to the latrine and there was a little guard down there and he saw my boots and started sticking at me with a bayonet and told me he wanted the boots or told the interpreter and the interpreter told me. I didn't want to give him the boots and he jabbered some more and hit me on the leg with the rifle.

The interpreter said I better give them to him. Finally he told the interpreter if I didn't give him the boots, he would stick me with the bayonet. I asked the interpreter if he really would do it, and he said personally he thought he would. So I gave him the boots. I wear a size ten boot, and that man wore a size five, probably, in ours. He gave me his for mine.

Senator POTTER. Did you get them on at all?

Pfc MARTIN. I had to cut the toes out of them. I still have the scars on my feet today where my feet stuck out about that far from the end of the boot. But I had no choice. I had to wear something for my feet. Walking on those rocks would tear your foot to pieces.

Senator POTTER. While you were there, were you interrogated?

Pfc MARTIN. Yes, sir.

Senator POTTER. What questions did they ask you?

Pfc MARTIN. At that time they weren't really interested in military information. At least they didn't bother me too much. Maybe it was because I was only a private. They wanted my name, rank, serial number and organization, and I told them I was with the 999 Smoke Company, or something, I don't know what it was. It was some outfit that wasn't even there. We had already been told when we got into Taejon that they know every outfit in Korea, and just to give them some phony name, something that couldn't help them. But at the same time if you didn't give them something, they would beat you until they got some answer.

Senator POTTER. Did they ask you about your home life, what your father did?

Pfc MARTIN. Yes, sir; they wanted to know whether my father was a worker or capitalist. I told him he was an electrician and that seemed to make them happy. I don't know, they said they were looking for reactionaries. They wanted us to be Communists and sing all these Communist songs. But one thing, they couldn't

make us do that because they were all in Korean and we couldn't speak it.

Senator POTTER. You couldn't do it anyway?

Pfc MARTIN. No, sir; not if we wanted to.

Senator POTTER. Did they have any publications, magazines or books that they required you to read?

Pfc MARTIN. They forced some pamphlets on us, but that is all. We didn't get any books at all there. We did get a lecture. This guy came around. I believe the people that were there before had said he had been there before, and in fact he told us he would be around again this week. He came up there and yelled and ranted and raved for about an hour, how we were all Wall Street imperialists, and slaves of the capitalists, and finally this lieutenant stood up and asked him if we were slaves how come we had cars and refrigerators and they were still running around with lice in their hair.

Senator POTTER. What did he say?

Pfc MARTIN. The guard slapped the lieutenant down pretty hard.

Senator POTTER. Was this lecturer a Korean?

Pfc MARTIN. Yes, sir.

Senator POTTER. Did he speak good English?

Pfc MARTIN. Very good, sir. He was in civilian clothes but he acted like he was a military man. I don't know, just the appearance, you know, of a professional soldier more than anything else.

Senator POTTER. I assume this prison was under the jurisdiction of civilians, is that true?

Pfc MARTIN. No, sir; this wasn't.

Senator POTTER. This was under military control?

Pfc MARTIN. Yes, sir; under military jurisdiction.

Senator POTTER. And you were there approximately five days?

Pfc MARTIN. Yes, sir.

Senator POTTER. What transpired? How did you happen to move? How did that happen?

Pfc MARTIN. Well, they always talked——

Senator POTTER. Before we go into that, while you were in prison were any of our men killed?

Pfc MARTIN. While I was there?

Senator POTTER. Yes.

Pfc MARTIN. No. We had some died.

Senator POTTER. But none were shot?

Pfc MARTIN. None were shot, no, sir.

Senator POTTER. And they died of dysentery?

Pfc MARTIN. Dysentery, and when I got back, I found out a good deal died from hepatitis, yellow jaundice. We all had it pretty bad when we got back.

Senator POTTER. Was medical treatment available? You mentioned this amputation.

Pfc MARTIN. Well, a doctor came in, at least he came in and claimed he was a doctor, and went around and asked people what was wrong with them. You could tell him what was wrong and he would just nod his head. He spoke fairly good English, but he never did anything, he never gave out any medicine, never gave anybody any advice or anything, but would just turn around and leave. He came back a few days later. The Koreans seemed to delight in telling us that they were sticking to the Geneva Conferences, that doc-

tors were coming around. We asked them about food and they said they only have to feed us twice a day under the Geneva Convention because we were not working. They were feeding us twice a day, a rice ball.

Senator POTTER. How big is a rice ball?

Pfc MARTIN. About as big as your fist.

Senator POTTER. What is it, just a ball of rice?

Pfc MARTIN. It is a ball of rice steamed and then just packed together. It is rice and millet, usually. I don't know, I think they use some barley in them.

Senator POTTER. Are you fond of rice today?

Pfc MARTIN. No, sir. I don't like it.

Senator POTTER. What happened then? Go on into how you happened to leave the prison.

Pfc MARTIN. I don't know. I imagine the eventual plan, from what they told us, was to move us to Seoul which was supposed to be a large temporary camp, and from Seoul north to Pyongyang and a few camps up there. They kept telling us that there had been large groups of Americans ahead of us, that had already gone up there. And they kept talking—is it all right to mention life survivors?

Senator POTTER. Yes.

Pfc MARTIN. They kept talking that General Dean had been at Seoul, and General Dean was with this large group.

Senator POTTER. They told you that General Dean had been through there?

Pfc MARTIN. Yes, sir.

Senator POTTER. When did you leave the prison, in the daytime or at night?

Pfc MARTIN. I don't even remember now, sir.

Senator POTTER. Was it a large group?

Pfc MARTIN. About eighty of us.

Senator POTTER. And was this a march?

Pfc MARTIN. Yes, sir; definitely.

Senator POTTER. Under military auspices or civilian?

Pfc MARTIN. Military, sir. We were given instructions before the march, and told that we would march under regular North Korean conditions, regular marching conditions. Most of us thought it would be our own, a certain cadence, say 120 or 130, whatever it is, and maybe a break and then start out again. It didn't work out that way at all.

Senator POTTER. How did it work out?

Pfc MARTIN. We just started walking and finally when just about everybody was falling down, we quit.

Senator POTTER. You would quit then for a break?

Pfc MARTIN. No, sir; there wasn't any breaks.

Senator POTTER. You wouldn't quit then for a break?

Pfc MARTIN. No, sir; there wasn't any breaks.

Senator POTTER. No breaks. Did they march you at a fast rate of speed?

Pfc MARTIN. Well, we wore out two sets of guards before we got to Seoul.

Senator POTTER. They changed guards on you?

Pfc MARTIN. Yes, sir.

Senator POTTER. What happened to the ones that couldn't keep up?

Pfc MARTIN. They were shot.

Senator POTTER. They were shot?

Pfc MARTIN. Yes, sir.

Senator POTTER. Did you witness any of them being shot?

Pfc MARTIN. Yes, sir.

Senator POTTER. Who was in charge or command of the guards there, do you know?

Pfc MARTIN. I wouldn't know his name, sir.

Senator POTTER. Was it an officer?

Pfc MARTIN. Yes, sir; a captain, I believe.

Senator POTTER. Were you given food twice a day on the march?

Pfc MARTIN. No, sir; once a day.

Senator POTTER. And what did that consist of?

Pfc MARTIN. The same thing, rice. We would stop in a village at night to eat, and go around and rummage up some rice, and eat that and start out the next morning.

Senator POTTER. Was it a march all the way up to Seoul?

Pfc MARTIN. I couldn't tell you. I believe it was about ten miles in trucks. But they didn't care to go any further in trucks and we didn't either because it was in the daytime and our air force naturally had no way of knowing whether we were enemies or not, and they gave us a pretty bad time there for a little while.

Senator POTTER. Was your march along the road?

Pfc MARTIN. Yes, sir.

Senator POTTER. And it was mostly at night?

Pfc MARTIN. Yes, sir.

Senator POTTER. And they would put you up in houses during the day or hide you?

Pfc MARTIN. We would hide in some of these houses somewhere, but twenty or thirty in one little house and twenty or thirty in another one.

Senator POTTER. Did the guards beat you during the march?

Pfc MARTIN. If you could keep up, sir, they didn't bother you too much, but the ones that began to straggle, and fall out—they were all suffering pretty badly from dysentery at the time. If a man had to fall out and wasn't quick enough catching up, they would slap him around a little bit.

Senator POTTER. Would they slap them with their fists or rifle?

Pfc MARTIN. Depending on how angry they were, sir. Usually they just took the rifle butt and kind of poked you around.

Senator POTTER. How many started out on this march?

Pfc MARTIN. I believe about eighty, sir.

Senator POTTER. And how many finished?

Pfc MARTIN. I think we lost twelve men.

Senator POTTER. And were those twelve men shot or did some of them die?

Pfc MARTIN. I think only one man died, sir.

Senator POTTER. And the rest were shot because they were stragglers?

Pfc MARTIN. As far as I know, yes, sir.

Senator POTTER. Did they assign certain Americans as leaders of the group at all?

Pfc MARTIN. No, not exactly. Naturally, the highest ranking man there was more or less recognized as our leader. They didn't break us up into groups exactly, but the highest ranking officer would be at the head of the column and according to them were supposed to set the pace, which they tried to do quite a few times. They tried to slow down the pace and most of them took a pretty bad beating over it.

Senator POTTER. What was your highest ranking man in your group?

Pfc MARTIN. A major.

Senator POTTER. How long did it take you to get to Seoul?

Pfc MARTIN. The last couple of days, sir, are kind of hazy. I don't even remember the night we pulled in there.

Senator POTTER. After you got to Seoul, then what did they do?

Pfc MARTIN. Well, there were already quite a few PW's there. I don't have any idea as to the number, except that it was over a hundred, easily. They put us in these two rooms, about thirty or forty men to a room, and the next morning the interpreter came through, this Mr. Kim, that is the only name I ever knew him by, and told us what to expect.

Senator POTTER. What did he tell you?

Pfc MARTIN. He was so full of hatred and so bitter he actually couldn't get anything out except dogs and so on and so forth, and they were going to straighten us up, and they hated all America and so on. I don't know. He was just full of baloney. Actually, I think he wanted to take us all out and shoot us then.

Senator POTTER. Was he an officer?

Pfc MARTIN. He was a South Korean.

Senator POTTER. Was he in civilian clothes?

Pfc MARTIN. Yes, sir.

Senator POTTER. How long were you in prison school or compound?

Pfc MARTIN. I would say a month, sir.

Senator POTTER. A month?

Pfc MARTIN. Yes, sir.

Senator POTTER. And how was your treatment there?

Pfc MARTIN. Well, we weren't fed very well. We did not have any work to do or any marches but they wanted to indoctrinate us, was the whole thing, classes, books, even had a movie and a big meeting in a gymnasium one time.

Senator POTTER. And what took place there?

Pfc MARTIN. Well, they had a big thing they wanted all of us to—I believe they wanted our cooperation, kind of a propaganda deal. They were taking movies to show the North Korean people. They took us outside and lined us up, there were about three hundred of us then, and they wanted us to carry those banners. I don't know what they said, they were in Korean. They were going to march us down around this tour, about a mile and a half away, and back again. We didn't have much choice but to march. They marched us down there and around, and the guys kept dropping the banners and stuff like that, and it got them kind of mad. They brought us back and took us into the gymnasium there. Some guy got up and made a speech. To tell you the truth, I don't know much of what he said. I didn't pay much attention to it.

Senator POTTER. That was a North Korean officer or civilian?

Pfc MARTIN. Officer, sir. He was on the theme that they were right and we were wrong, and we were invaders, and they were defending North Korea after South Korea tried to invade it, and they were going to prove this to us, and they wanted us to go along with them and denounce the United States, and they wanted us to make records for this whole thing for this woman propagandist that was on the radio, and then they asked us all to write and give them an essay on why we should not be in Korea, and why we were in the wrong, and why the peoples republic was so right. They said that the best one, whoever wrote the best one, got to get on the radio and give a propaganda statement.

Senator POTTER. Did everyone have to write one?

Pfc MARTIN. They asked us all to write them. We were all supposed to. I don't know. Everybody would write a couple of lines and throw the thing in. Nobody ever wrote much. In fact, I think most of the old-timers just wrote "Go to hell" on them. They had a movie there, though, that was in Russian, sound and all, and the Russians, you know, before our—whatever you call it, who it is produced by and so on and so forth, at the beginning. All of that was in Russian writing. I can't speak it or read it, but I know Russian when I see it, and it was about the meeting at the Elbe River of the American and Russian troops. They made us out as well, we had ridiculous uniforms, the overseas cap having a point about that long on it [indicating], and the troops were in Class A in the fighting. The Russians stood on the south shore, all big, brave, smiling men, and a bunch of little fat guys jumped to the water and swam across. That was supposed to be us. They shook hands with the Russians.

Then as the picture went on, from what I could see, it showed that the Russians were actually—well, we were finally realizing that the Russians were up to no good at all. They were trying to put that idea over to the people. It showed us black marketing. It showed them beating up colored officers and throwing them out of the Officers Club, and I think they lynched one later on.

Then there was an American major and Russian colonel that were fairly good friends. The American major seemed to disagree with his superior and his superior, naturally, was a big, gross man who was stealing everything, taking beautiful paintings off the walls and sending them home, and all of this thing. So this major was sent up, supposedly, done away with, and this Russian colonel was very sad, and that was the end of the movie. It smelled pretty bad.

Senator POTTER. They did not compare with a Mickey Mouse?

Pfc MARTIN. No, sir.

Senator POTTER. Did they have material that they required you to read?

Pfc MARTIN. Yes.

Senator POTTER. Do you recall any of the pamphlets or articles that you were required to read?

Pfc MARTIN. The one, probably the most famous, is by Karl Marx. I don't know the proper title. It is something about the capitalist system. It is his idea of the economics.

Mr. O'DONNELL. *Das Kapital*?

Pfc MARTIN. That is it.

Senator POTTER. Did you see the *Daily Worker* over there?

Pfc MARTIN. Not to my knowledge, sir. There were a lot of books that they passed around, and most were about Russian heroes in the Second World War. Right in the front was the acknowledgment of some Soviet printing company translated into English. They were all about Russian heroes.

There was a few about this other—they kind of sent it around, the same thing—when the Russian met the American, how he was so sad to see what a heel he was, and everything. And one about Christmas, when the Americans had more than the Russian people. They admitted that. But the colored people had to go into one room and were treated pretty shabbily, and there was not any love there, and they all got drunk. So this Russian went back to his little party, where everybody had a good time and everybody was hunkydory.

Senator POTTER. In this prison camp with you, did we have any colored American troops there?

Pfc MARTIN. Yes, sir.

Senator POTTER. Did they make any effort to instill hatred in the colored troops?

Pfc MARTIN. I think they made a large effort and it didn't do them any good.

We had at the time three, I believe, and one had been there for so long that he had just about homesteaded. He was one of the first in there. But they didn't impress that man at all.

He was, I would say, in his early forties. He was mature. They always made him in the front of everything. If they wanted somebody to carry a banner or something, they always made that poor man do it because they wanted the idea—they were always trying to take pictures of these things and they wanted the idea that the colored race was being suppressed and were fighting back.

Senator POTTER. Did they try to get confessions from you on certain things?

Pfc MARTIN. No, sir. They had not started that germ warfare business yet. They were still winning the war. They made us listen to this woman's broadcast every night, though.

Mr. JONES. Was that Sioux City Sue?

Pfc MARTIN. We used to call her Rice Ball Maggie.

Senator POTTER. How long were you in the camp?

Pfc MARTIN. Thirty days, sir, about.

Senator POTTER. Then you were moved from there?

Pfc MARTIN. Yes, sir. We were moved from there the 20th of September.

Senator POTTER. And where did you go and how did you go?

Pfc MARTIN. Well, a day or so before that, the navy was blowing Inchon apart, and the air force was kind of tearing up Seoul. We figured that the invasion was starting, and then we were quite sure of it.

The South Koreans, the prisoners in the compound next to us, told us that our troops had landed and broken out of the perimeter. We managed to hear a couple of these Tokyo radio broadcasts. So we were expecting to be liberated.

They put more guards on us and decided to move us out the night of September 20, about 10:30 or eleven o'clock at night. We came down and the whole sky was lit up. They got us and started to move us out. We went one way and turned around and came back, and then we went another way. We were all thinking about trying to break them because there were about 390, I believe, of us then. But it seemed that we were surrounded. Every time we would walk a few miles in one direction, we would have to turn back and walk again.

Senator POTTER. They were American troops?

Pfc MARTIN. We still don't know. I don't know whether that was the case or not. I imagine it was. We finally went through part of the town that was burning. They told us when we started that we only had to walk one kilometer. They said for all too sick or too badly wounded to fall out over in one spot, if they couldn't walk. Some twenty or thirty fell out.

We started walking and crossed the North Korean Parallel in one day. I think the city was Kaeson, or something like that. We were there just a few hours, a very few hours, maybe twelve hours, when these other men that were supposed to have been too sick to walk one kilometer came in. They had forced them all the way up there.

Senator POTTER. I assume there was quite a hike in one day for that distance, was it not?

Pfc MARTIN. It is a pretty big distance.

Senator POTTER. Will you point it out on the map?

Pfc MARTIN. It is from Seoul to the parallel line. I don't know exactly how far it is, but it is a pretty good distance. We lost quite a few men on it.

Senator POTTER. You lost quite a few men?

Pfc MARTIN. Yes, sir.

Senator POTTER. How did you lose the men? Did they fall out?

Pfc MARTIN. A few, I believe, tried to escape. I don't know how many made it, after we got going, and I think the majority that fell out were shot.

Senator POTTER. They were shot as they fell out?

Pfc MARTIN. Well, they didn't make much effort to get them to come on once they did fall out. I don't know the exact number. I was toward the head of the column and I was so doggoned tired I wasn't paying much attention anyway. I was just trying to keep moving.

Senator POTTER. Who was in charge of that march?

Pfc MARTIN. He was, I believe, a captain, again, that had been in charge all the time we had been at Seoul. I am not positive. But he showed up later on when we hit this next town, so it must have been him.

Senator POTTER. When these men were shot, the ones that could not keep up, were they shot by the guards or by the man in charge, or both?

Pfc MARTIN. Well, sir, the only shooting I ever saw was done by the guards, there.

Senator POTTER. After you got to the 38th Parallel, and the ones that were left behind because they were too weak to make the march finally, what happened then?

Pfc MARTIN. Well, this part, I have lost three or four days at a time in there. I know we moved from that city into another one. It did not look like—well, it was supposed to have been an old school building, but it was actually built like an old factory.

We stayed there for three or four days, I guess. It was such a good target for planes that the guards wouldn't even live in there. They went out and dug holes around outside by the road. We were bombed there once. They wouldn't let us out of there, either. A B-29 came over and dropped seven bombs, thinking, I suppose, that it was a factory, and they wouldn't let us out of the place.

Senator POTTER. They kept you in the building?

Pfc MARTIN. Yes, sir.

Senator POTTER. Did they lose any men as a result of the bombing?

Pfc MARTIN. No, sir, we were lucky. We found out where their storehouse was for their food, the North Korean kitchen. Some of the guys started going down there at night. They were coming back with sweet potatoes and all kinds of stuff, stealing it, and they found out about it and took them out and beat them up pretty badly. But they wouldn't feed us, and we had to do something.

Senator POTTER. From the time you left Seoul, did you get food every day or not?

Pfc MARTIN. The day after we left Seoul, if I remember correctly, all we got was a bunch of crackers and some water. I think we got some rice again the next stop, but I am not positive.

Senator POTTER. Just carry on. You say you miss a day or so. Do not worry about that. After that point, where did you go, and what happened?

Pfc MARTIN. From then on, sir, it was just a series of march, march, march, all night, and fall into a town, and then get up that night and march, march, march, again, just the same thing over and over.

Senator POTTER. Did the same thing continue with the men who could not keep up? Were they shot?

Pfc MARTIN. Yes, sir. That is when we started to lose men a lot. We went from a group of 396, and at the time we hit Pyongyang, I don't think there was 280.

Senator POTTER. Where is that on the map?

Pfc MARTIN. That is the North Korean capital, right on the coast.

Senator POTTER. You almost walked the whole length of Korea, did you not?

Pfc MARTIN. Yes, sir.

Senator POTTER. You do not have any idea how long it took you?

Pfc MARTIN. About fifteen days, I would say.

Senator POTTER. Did you still have the same commander in charge of the march?

Pfc MARTIN. No, I believe that we changed officers about halfway through that, sir.

Senator POTTER. And the treatment was still the same?

Pfc MARTIN. Yes, sir, it never changed. In fact, it got worse.

Senator POTTER. As you kept going north it got worse?

Pfc MARTIN. Yes, sir. We would begin to pass bunches of bodies, three or four in a group. South Koreans had started ahead of us,

and we all thought at the time that that is probably what it was, that they had shot their stragglers right along.

Senator POTTER. When they would shoot them, would they shoot them on the road where they were walking?

Pfc MARTIN. Most of the time they would move them off a bit and then shoot them.

Senator POTTER. Did they make any effort to bury them?

Pfc MARTIN. No, sir, not then.

Senator POTTER. They just left them there and kept walking?

Pfc MARTIN. Yes, sir. They had another little trick they used to pull. You would come into a town and have quite a few men that were very badly off, that wouldn't last much longer. They would say they would leave them in the town where they would be well taken care of. We no more than left there when they did away with them.

Senator POTTER. The people in the town would bury them?

Pfc MARTIN. Yes. We buried as many as we could, and the man in charge had to always take the name, rank, and serial number on a piece of paper and try to put it in a bottle or something, and put it in the grave. But they wouldn't let us mark the grave.

Senator POTTER. They would not let you mark the grave?

Pfc MARTIN. No, sir.

Senator POTTER. Then what happened after you got to Pyongyang?

Pfc MARTIN. We got in there at night and they put us up in a school building again. That is about the only building, I guess, that could hold all of us. They didn't feed us rice then. They brought in this bread, about six inches long, I would say, and about two inches high and wide. We got one of those a day. It was awful hard stuff. It was so hard you couldn't eat it, actually.

Senator POTTER. Was it dark bread?

Pfc MARTIN. No, it didn't seem to be. It was pretty light in texture.

Senator POTTER. But it was hard?

Pfc MARTIN. Hard as a rock. I don't know whether it was baked that way or that stale, or what. You couldn't just bite it. You had to break off a chunk and chew it.

Senator POTTER. Were you given any medical attention there at all?

Pfc MARTIN. Not too much, sir. We had people dying of dysentery right and left, four and five a day then, easily. They just told us to put them all in one corner of the room. They made us move them all into one corner of the room, and they were lying there with flies and everything.

Senator POTTER. They left them right there in the room after they died?

Pfc MARTIN. If somebody died, we had to wait for them to get around to it before they would let us take them out and bury them.

Senator POTTER. How long were you there?

Pfc MARTIN. I don't know. I would say three days at the most.

Senator POTTER. And then where did you go?

Pfc MARTIN. Then is when we started to move out to supposedly another camp up north. They told us all kinds of stuff, that it was a great big camp where the PW's worked and they had a big school

there, and all, a bunch of stuff. They took us down to this train and put us on a train at Pyongyang. We stayed on the train for about ten days.

Senator POTTER. On the train for about ten days?

Pfc MARTIN. Not right on it. They put us in coal gondolas, those open things. We would ride a few miles and get off the train and go out in to the field. We would sit out there maybe all day long. Night would come, and they would put us back in the gondolas and we would ride a few more miles. They never seemed to make much headway at all. We finally pulled into the tunnel.

Senator POTTER. How did that happen?

Pfc MARTIN. We went into the tunnel there, and they were afraid to move any further up because of the planes. The planes were coming over awful low at the time. We found out later they were looking for us. They found out we had been on the train. They put us there one day and we didn't get hardly anything to eat that day, even less than usual. We had three men die that day, the first day in there. I think they took a burial detail out and buried them. The next morning we still didn't get fed. We found four more dead men, and they made us pile them up by the side of the railroad tracks outside the tunnel.

Before the burial detail got ready to go out—that was about four o'clock in the afternoon—there was three more and we had to put them in there. Then that evening they say—well, not evening but late that afternoon—that they are going to feed us. That is when they took the men out in groups.

Senator POTTER. Do not go into too much detail on that phase of it.

But they told you they were going to take you out and give you some chow, is that right?

Pfc MARTIN. They took the highest ranking man we had and the man who had been acting more or less as our mess sergeant whenever we had a chance to cook any of our food. They came around and asked us for all the money we had, in case we had any, and give it to this one man because the North Korean said if we wanted anything, any vegetables, we had to buy them. They said they were not in South Korea and could not pick whatever they wanted but they had to buy it.

I don't know where the guys got the money, but some of them had some, and they took all the money.

I believe there were two sergeants, one officer, and another man who went out with the Koreans supposedly to get food. They left at two o'clock in the afternoon, maybe, and we never saw them again. But they came in there about 4:15 or 4:30 and said they were going to feed us, but it is a chesei house, a small house, and they couldn't take us in and feed us all at one time, that they had to take a few in at a time, a small group.

We were hearing small arms fire before, not too heavy bursts but scattered fire. All of us thought the UN troops were getting pretty close. So they took the first group out and actually, I think, everybody was more or less just about on their last legs, in a daze, because when we did hear that fire it didn't register. Personally, I never thought a thing about it.

They came back fifteen or twenty minutes later and said it is time for the next group to go.

We all grabbed up our little bowls and got ready to go out there. We walked down the railroad tracks and they kept saying, "Hurry, hurry, hurry."

Senator POTTER. How many were in the group?

Pfc MARTIN. In the group I was in, the second group, I think there were about forty men. They let us down the railroad tracks three or four hundred yards, and there was a paddy, as this hill came down, and more or less leveled off, there was a paddy, and an irrigation ditch, one at either side and then with the bank. There was only three guards with us at the time. As they went up on this bank, they started yelling "Airplanes, airplanes, get in ditch." And we all got into the ditch. We no more than got in the ditch than they just seemed to come up from the other side of the bank, and they went forward and just started.

Senator POTTER. Do you mean with burp guns?

Pfc MARTIN. Both, rifles and automatic weapons.

Senator POTTER. Were you hit?

Pfc MARTIN. No, sir, I wasn't hit at all.

Senator POTTER. But you pretended to be dead?

Pfc MARTIN. I was the last man to come around. I was having trouble with my feet. I just got around into the ditch more or less when the firing started and I fell up against the embankment.

Senator POTTER. Then I assume that they assumed that you were dead?

Pfc MARTIN. They never actually checked me. They came down the line and never got down as far as I was. They were in a hurry. They wanted to get out of there. They wanted to get it done and get out.

They were ready to roll, I guess, because just a half hour after they finished all of that stuff, they were on the train and the train had gone.

Senator POTTER. Did they have other groups after you?

Pfc MARTIN. Yes, sir.

Senator POTTER. Were they brought to the same place?

Pfc MARTIN. No, sir, they were not.

Senator POTTER. They were taken to other places?

Pfc MARTIN. Yes, sir.

Senator POTTER. Were there any other of your forty that were still alive?

Pfc MARTIN. Yes, sir. There were quite a few left alive, pretty badly shot at, but there were a few others that were not hit at all, and a few with flesh wounds. There were quite a few of the guys that died during that night that were left alive after the thing was over.

They came down and checked but were in an awful hurry. They would dump this guy and if he groaned they would shoot him and then go after a few more.

Senator POTTER. You say they left within a short time?

Pfc MARTIN. Yes, sir. I would say within a half hour.

Senator POTTER. Within a half hour. They got back in the train, did they, or was the train still in the tunnel?

Pfc MARTIN. I heard the train whistle and everything. Naturally, I never actually saw the train leave but I assume the train left.

Senator POTTER. Then what happened?

Pfc MARTIN. Well, another guy and I decided we better get out of there in case they did come back or in case there were any more running around there. We called off and hid inside of a bunch of sugar cane stocks, after the harvest, I guess where they pile them up like a corn shock. We were in there for about three or four hours, and it was dark, and we heard somebody crashing around out there and thought it was a North Korean. We looked out and just this little ways away there was this other guy going around bashing open these things. He was a GI. He was looking for another American. So we dragged him into ours and stayed there until the next morning.

Senator POTTER. Had he been one that had been on the train?

Pfc MARTIN. Yes, sir. He had been in a different group than we had been in. He had been shot in the leg. The next morning we looked out and didn't see any soldiers but we saw a lot of Koreans running around there, and we didn't think it was safe to go out yet. We waited a little longer. I don't know actually what time of the day it was. We heard people yelling, "GI's, come out. GI's, come out." But when we looked out there, they were Koreans. They had on uniforms, but half of the Koreans would wear fatigues when their uniforms were gone anyway. We stayed a little longer, and finally decided we would take a chance, and we went out and it was the Americans and the South Koreans.

Senator POTTER. So then you were back ready to go back?

Pfc MARTIN. Right.

Senator POTTER. Ready to come back to the States?

Pfc MARTIN. Yes, sir.

Senator POTTER. We have a photograph. I do not know whether you can identify it, but it is a photograph taken of the massacre, the tunnel massacre. [Handing document to witness.]

This is a photograph that the War Crimes Commission put out in their report of the remains of one of the prisoners that they found slain in that same incident. Here is a train. See if that is the type of train that you were on. [Document handed to witness.]

Pfc MARTIN. It looks a lot like it. This isn't a whole train, is it?

Senator POTTER. Apparently not.

Pfc MARTIN. There was some box cars on the train.

Senator POTTER. Did they have troops in the box cars, too?

Pfc MARTIN. No, I don't think so. They had mostly supplies, and I believe they had some of the things that you use to mint money for the North Korean government on there. We started to tear some boxes open once, looking for food, and they were great big heavy plates in there.

Senator POTTER. We thank you for giving us the benefit of an experience which I know has not been pleasant and no doubt you would just as soon forget it if you can. But I can well appreciate with all the moving around they had you do how it would be very easy to have days slip your mind.

I wish to thank you for a very complete story. We will hear you either Wednesday or Thursday, probably, in a public hearing.

Pfc MARTIN. Thank you.

Mr. O'DONNELL. This may have been covered, but I do not know for sure. How much weight did you lose?

Pfc MARTIN. I went from 165 to 118.

Senator POTTER. 165 to 118?

Pfc MARTIN. Yes, sir.

Senator POTTER. Thank you very much.

Capt. Makarounis?

Captain, I am sorry that you had to be here all day. I hope it has not been too uncomfortable.

Capt. MAKAROUNIS. In fact, I would like to come tomorrow and hear the other gentlemen, too.

Senator POTTER. You may, if you care to.

STATEMENT OF CAPT. ALEXANDER G. MAKAROUNIS

Senator POTTER. Captain, I wonder if you would identify yourself for the record?

Capt. MAKAROUNIS. Alexander George Makarounis, captain, infantry, United States Army.

Senator POTTER. You are now convalescing at Walter Reed Hospital; is that correct?

Capt. MAKAROUNIS. I am a patient at Walter Reed Hospital, presently on sick leave, waiting for my next operation.

Senator POTTER. Where is your home, Captain?

Capt. MAKAROUNIS. My home is 548 Fletcher Street, Lowell, Massachusetts.

Senator POTTER. Captain, would you tell the committee when you first went to Korea, and with what outfit?

Capt. MAKAROUNIS. Yes, sir. In the middle part of July of 1950, I was a member of the 29th Infantry Regiment stationed on Okinawa. We were alerted. The tentative plan was duty in Japan. The plans changed a few days later, after the alert, and we were told we were leaving directly for Korea.

The regiment could muster but two battalions, breaking up one battalion. Even so, we were under strengthened. We gathered the remainder of our strength from troops that had arrived on Okinawa on the 21st of July.

Shortly after midnight of the 21st, which would make it the 22nd of July, two battalions of the 29th Regiment, sailed for destination Korea. We first went on the outskirts of Japan where we formed part of a convoy. On the 24th of July, we entered Pusan, North Korea. We disembarked there, secured the remaining equipment that we were lacking in our units, and immediately proceeded to our destination of Maoson by rail. From Maoson, we went by truck to Chinju, where we became attached to the 19th Infantry Regiment. I might say the remnants of the 19th Regiment.

Senator POTTER. What was your duty? Were you a platoon leader?

Capt. MAKAROUNIS. I was commander of I Company. That evening we got our mission at Chinju. We were to move to the vicinity of Hadong, South Korea, to engage about two hundred or more guerrilla forces that were disturbing the citizenry and recruiting for the North Korean Communist Army.

We moved out by truck and then by foot. Our first major engagement—we ran into the elements of four North Korean divisions

that were making that sweep to form the Pusan perimeter defense as we commonly know it.

Our battalion, the 3rd Battalion of the 29th Infantry Regiment, was practically wiped out. By that statement I mean that we did not have sufficient troops to cope with the situation. Rather than moving into the guerrilla activities, we moved into the elements of the full North Korean divisions, according to a *New York Times* report which is all I base it on sir.

I might say all of this information I have in a scrapbook at home, newspaper articles and information from other personnel.

I Company was in reserve and soon the S-3 officer, now Major Robert Flynn, committed my company, which was to support L Company on the left flank of the defense line.

As my platoons got to the prescribed terrain, I was beginning to make a reconnaissance of the situation when I received an order from the first order of headquarters company battalion. The order was to withdraw.

I complied with the order, ordering my platoons back. It was at this point that we met men from the other companies who were moving also back through the only route left, the route that I Company had taken to get into position.

I was bringing up the rear of the withdrawal when we were pinned down heavily with mortar fire and machine gun fire. It was so much so that we could not move. There were approximately fifty to seventy-five men left in the group, not many from my company but from the other units. We were pinned down in the rice paddies of the field. There was no further withdrawal for the remainder of us, and that is where we were all shot in the rice paddy fields when the Communist troops came down upon us and we were taken prisoners.

Senator POTTER. About how many of you, Captain? About fifty?

Capt. MAKAROUNIS. About fifty to seventy-five, sir, that were pinned down, but many came out of that alive. I would say around the 50 percent mark. They shot and killed those troops that were in the rice paddies. They came down and shot and killed them with the submachine guns, the Russian type burp guns, as I called them, having seen them before.

I might say we were pinned down and we were all shot. I was shot through my back and as I lifted my head to cough, one of the men behind me, a man from my home town, stated "Lieutenant, they're taking prisoners."

We looked up and they were signaling to those who could get up to raise their hands, throw off their clothing, fatigue jackets, take off their watches, pen and pencil sets, rings, and throw them in the rice paddy fields. They then marched those of us who could, and those who could help the wounded prisoners, to a Korean trail, I might say, and there they let some of our own men get first aid packs and dress our wounds.

That night was the only time that four North Korean Communist medical men dressed the wounds, about thirty of us in this one building. We were the seriously wounded personnel who could not even move.

They came in, sprinkled a little sulphamylamide powder, and put a thin gauze bandage on, and that was the one and only time that

we ever received medical treatment by the Communist army troops.

I might say that the next few days had the town of Hadong strafed and bombed by our air force, practically leveling the town. It was a small Korean village or city, I might say.

During this strafing, the other prisoners who were in walking condition were in a Christian church in the town of Hadong. The building was hit accidentally and less than ten soldiers died in this building. The rest were taken out. The ones who were wounded built our number to about fifty in this one building. The remainder were taken out and marched all the way up to Seoul. These were all men from the 29th Infantry Regiment, 3rd Battalion.

Daily for about the five days following my capture, the town of Hadong was strafed continuously all during the day. At these times, we moved up to the hill which was to the rear of the building, a large concrete building that we were staying in. We moved up in the trees, and in two or three caves, that were in the area. About the fifth day following this, it was my decision at that time that I would die there, so then I planned to escape rather than die in the town of Hadong.

Along with two other soldiers from my company, we escaped at night, crossed the river across a sand bar, and took off across country.

About five days later, twenty miles as the crow flies, we were recaptured in a small South Korean village as we were attempting to dress our wounds by breaking into a supposedly doctor's office in this village, who was not there.

We were turned over to the police authorities in the next city by what I term quizzing personnel.

Then started a trek from this area down to the southernmost large city that I believe is in South Korea called Kwangju. I believe it is near the coast. It was at this point, while we were getting down to this city, that we were always confined in civilian type jails with civilian prisoners, South Korean civilian prisoners. This, to me, seemed strange, since we had on our army fatigue clothing and I remembered, by handling prisoners of war in World War II, that none of this came under the Geneva Convention rights. It was at Kwangju, I believe, sir, that we met three Columban Father missionaries. They were Roman Catholic missionaries in Korea, who were taken prisoner in the town of Mokpo, and were transferred to the town of Kwangju.

I would like to say I would like to leave this article which is published by the Columban Fathers, and which will tell the story there how we split at Taejon.

Senator POTTER. That will be made a part of the record.

Capt. MAKAROUNIS. From Kwangju, we went all the way to Taejon.

Senator POTTER. By walking?

Capt. MAKAROUNIS. By truck and walking. Most of the way by broken down trucks with about thirty-two prisoners, the three Columban Father Missionaries, five, including myself, American prisoners, and the South Korean prisoners.

Senator POTTER. You were guarded by military personnel?

Capt. MAKAROUNIS. We were guarded by Communist soldiers, yes, sir.

During this trip to Taejon, the hands of all five of us were manacled together by hand irons. The hands of the missionaries were tied together with rope.

Senator POTTER. Are they like handcuffs, hand irons?

Capt. MAKAROUNIS. Handcuffs, right, sir. At Taejon we stayed but a few hours together, the three missionaries and the five soldiers, including myself, and there we were split.

We were taken to this large building in the city which at one time, I believe, was the temporary headquarters of one of the regiments defending Taejon, of the 24th Division, and which, I believe, was a permanent police building. It had a large courtyard.

As we entered there, they singled out the soldiers and had us sit down, and had photographs taken, numerous ones, of us. As we moved up to the second floor of this building, we met approximately one hundred other American soldier prisoners. This was the first large group of prisoners I had seen. This was a couple of weeks after I had been captured.

I might say that back on the 27th of July 1950, the day that we were captured, there were between twelve and twenty-four men who were wounded badly. An example is my company messenger, who was shot in the neck, in the shoulder, and in the chest. These seriously wounded men who could not even get up were taken to the road junction where we were first assembled, about one hundred yards from the place where we were cut down, and they were left there. These soldiers I never saw again nor have I heard of what happened to them. They are still carried, I believe, as MIA. It is the common knowledge, among us, that they were shot and killed immediately by the Communist soldiers.

I might say that while at Kwangju, the Columban Missionaries told us that we would go through the same procedure they had gone through. They were taken out continuously and interrogated at length by North Korean army officers. I am not sure but to this day they stated that they were given the statements to sign dealing with many subjects. What was in the statement, I don't know, but it had to do with the invasion, as they called it, of Korea by the United Nations forces.

Senator POTTER. In other words, they were confessions of American guilt?

Capt. MAKAROUNIS. It was bordering on that line, yes, sir.

I might say that one of the missionaries, a Monsignor, was an American. The other two were from Ireland.

The day that they took us out, they took us to a Christian church. The church had many tables and chairs in there for interrogation. They were using the church as an interrogating point. They put me in a chair beside one desk, with a Korean Communist captain. This captain was a young man, as much as you can tell the age of a Korean. I would guess it would be in the twenty-thirty bracket. He was quite angry because it took at least one hour or so to find an interpreter. As it was, we just sat there.

All through the questioning, the captain kept getting mad every once in a while. He would say things against General MacArthur

and against President Truman, and that it was all Wall Street's fault that there was this war.

He also wanted to know about my family, too. He kept saying what did my father do, and I said he was retired but that he had been a worker in the woolen mills in Lowell. This seemed to please the captain when I gave him this reply. He also got quite a charge out of the fact that my mother was Ukrainian and was born over in Austria. When I told him after he asked me a question about owning property, he grinned from ear to ear when my answer was "no." It seemed like if you were a man of means, or had any information to give them that you were on what they call the capitalistic side, they definitely were opposed to you.

Senator POTTER. They gave you a hard time if they thought you had property. Ownership of any property, I assume, then meant you were a capitalist.

Capt. MAKAROUNIS. Yes, sir. That definitely to them was their thought.

I might say that during this interview, all three of us, the two men who are not here today and myself, the interrogators would take a revolver out, which seems to be a fancy of theirs, to acquire revolvers, and American pistols, and tell us that we would sign statements and confessions, and point the revolvers to our head. The three Columban Missionaries had explained that this would happen to us.

As soon as I got into the room with the other American prisoners, they were divided into two rooms. Two master sergeants explained to me to tear up and cut up my clothing and shoes. If I did not, these would be taken away from me in that the Korean Army soldiers were acquiring all soldiers' shoes and clothing that was in good shape, that was not torn and ripped. I immediately ripped my fatigue jacket and trousers and cut the toes out of my shoes, and slit them. But they were useful, they had soles on them.

In the room I was in, a big room, about forty by sixty, I guess there were maybe sixty GI's. In the other one, just like it next door, were thirty more Americans, plus a lot of South Koreans. In my room were two young soldiers who had each had a limb amputated by a Korean doctor. One had lost his arm almost up to his shoulder, and the other had his foot removed above the ankle. They were supposed to be recuperating in this room. This is what they had been told. The condition of the room could not be described, and the floor was covered with filth where GI's had relieved themselves, since they would not let us go out of the room only once in the morning and once in the evening.

Senator POTTER. What place are you talking about?

Capt. MAKAROUNIS. Taejon. This is the first group of American soldiers I had met in captivity.

On the evening of the second day in Taejon, the guard said for all that could walk at all to fall out in front of the building. Then they marched up and down past us, counting how many there were. There was ninety-one. One of them said in broken English how many of us could walk twenty-two miles. He said we were going on to Seoul and that after we had gone twenty-two miles there would be a train and we would go on to Seoul in that. Seoul was about fifty miles or so beyond. Eighty of the men said, "Okay,

sure," they could make the twenty-two miles. Eleven stayed behind and we never saw any of them again. The trip was quite a march in itself. Of the eighty, I would say that more than half had been wounded in one way or another. A few of their wounds had healed by nature's own course.

We started off and that first night alone we must have covered the twenty-two miles and perhaps more. In addition to the GI's there were a lot of South Korean prisoners but how many I don't know. All of us were in columns of four, and we had to keep abreast all the time. Maybe once every two or three hours they would give us a break, ten minutes, and if you couldn't keep pace, you would get a rifle butt in your back.

I might say here, sir, that at all times while North Korean army soldiers guarded us, they had bayonets. Their bayonets are not like ours. They come to a sharp point and are oval in shape. But to me this distinguished whether or not the person guarding us was a Korean soldier or a civilian guard because the guards never had bayonets on their antique, actually, rifles. I never saw civilian guards with these rifles. The majority of the time, after the first two weeks of capture, they were all military guards.

As we got into the city of Seoul itself, it must have been about eight in the morning. There was an air-raid going on, with B-29's, fighters, and all. The fighters were strafing some of the streets in the city. Fortunately, however, they either didn't see us or did and recognized us as Americans. They did not harm us.

The streets were crowded despite the raid, and there were these kids with little baskets of cookies and breads, and we yelled at them to throw some cookies, and some did.

Capt. MAKAROUNIS. Finally, after they marched us up one street and down the other, sort of a Cook's Tour, I call it, with all the people lining the streets and looking at us, we got into a courtyard. There was a wall around it and inside the wall there were these three buildings, all fairly large and leaning out the windows were what seemed like hundreds of men. They were Americans. They kept shouting at us and some I knew by name. Some were from my company, from among those who stayed behind at Hadong. You can imagine what our first question was.

Somebody shouted, "How's the food situation," and they told us soup twice a day and bread twice a day. It wasn't so bad, they said. It was a chance to wash twice a day, too, and plenty of water to drink, but no Red Cross and no chance to write letters. That's the kind of information they shouted down to us from the windows.

We probably would have learned much more except around now I heard this voice say, "Get the hell away from those windows, you bastards, and stay away." This was my introduction to Mr. Kim that the other prisoners have mentioned. That's all we knew him by, Mr. Kim. He was a man whom all the soldiers hated most of all.

At that time I was lying on the ground and all around me were men who passed out, out of what you might call sheer exhaustion. Mr. Kim herded us into the building.

Before he did this, though, he had us all put down our name, rank, serial number and organizations.

As he herded us into the rooms I was put into what they called at the time B group. He opened the door to this room. I walked in. There were a lot of other men, including a few officers. I was standing there inside the door when this light-haired captain came up to me and smiled and said, "I'm Captain Locke." He introduced me to the other officers, a Lt. Blaylock, who is now back in the States, and a Lt. James Smith. Lt. Smith was a colored officer.

That makes five officers and there were probably forty-five enlisted men in the room. Captain Locke also told me, or maybe later, there was a major who was in charge, being the senior officer. There were also three other lieutenants and a captain, which makes a total, I believe, of ten officer captives.

This evening—and I have it labeled it as September 11—we got a bowl of soup that had some kind of greens floating around in it and a small loaf of bread with a hard crust.

On the bread that we got in the cities of Seoul and Pyongyang, the bread was colored such as our wheat bread is colored, but they never used salt in their bread. We had our own medics, that is, enlisted corps men, first aid men, who were prisoners also with us, just a mere handful.

Senator POTTER. How long were you a prisoner in Seoul?

Capt. MAKAROUNIS. Sir, I have the date set at September 11. That was my first evening. I have the date set as the evening of the 20th that we left.

From about the 10th of September or so the air raids on Seoul seemed to be intensified and there were lots of jets and fighters around. Also from anywhere around the 18th until we took off we heard artillery and some of the men said it was from 16-inch guns on ships. It wasn't until later, of course, that we realized we had been hearing the buildup for the landing at Inchon. On the evening of the 20th just after dark we were all set to go to bed when a guard came in and ordered us to fall in outside the building. We lined up in this courtyard where the North Korean troops used to have bayonet practice every morning and then the guards had us all sit on the ground.

There seemed to be a full moon and for some reason I remember that. That was the start of the death march, so-called Korean death march from Seoul to Pyongyang. I figure that the number of prisoners in Seoul was about approximately four hundred.

We did leave twelve or fifteen behind who just couldn't even get up to move, sir, and they were supposedly left behind in the sickroom along with one first aid man, a Private Eddie Halcomb. This Mr. Kim stood in front of us and he asked one question: "How many men cannot walk one mile?" Quite a few of the men fell out. I would guess between twenty and thirty. Mr. Kim walked up and down in front of them and he asked each of them, "What's wrong with you?" When they began telling him he would start cussing, and I would say he sent almost every one of them back into line with the exception of maybe two or three. The few that he sent up to the sickroom, I should say, were carried up because they were men who couldn't even walk a step.

The guards kept getting us to stand up and then ordering us to sit down continuously over and over again. This was for the purpose of a head count that they took many, many times in this one

courtyard. A corporal from my company who had made the first escape with me passed out completely and some of the other prisoners started to pick him up to carry him back to the sickroom. Mr. Kim said, "Bring that blank back." Those were his exact words, and they did.

Then Kim gave us a little speech. He said that it would become very dangerous there in the city of Seoul. He said the front was getting very near. Mr. Kim made one final inspection of the sickroom. He sent all of the men that he thought were even halfway capable of walking out again. While he was gone the other soldiers took this corporal from my company back into the sickroom.

At about nine o'clock, somewhere about that time we started out of the courtyard for our death march.

Senator POTTER. Nine o'clock in the morning?

Capt. MAKAROUNIS. In the evening, sir.

First we went across the main part of the city of Seoul and then on to the country. We must have walked a good five miles straight north it seemed and the pace was fast. The Korean pace, when they walk, sir, is much better than the 120 that we use in the military. They are naturally very hardworking people, the farmers in what they do, and carry heavy loads.

Senator POTTER. Is it a shorter stride?

Capt. MAKAROUNIS. It is a short fast clip, yes. It is more or less, I would judge it, a run for us. About an hour or so after we headed out a North Korean army officer on horseback rode up and started to shout something to the guards. There was a lot of jabbering and grunting. Then they turned us around and marched us right back into the city the way we came from. We kept on marching and we went out another route out of Seoul.

I might say here that we did see those flares that were sent up by our mortar fire on the outskirts of the city, lighting up the city. We heard distant gun fire too from artillery. A little while later as we were going on the outskirts of the city we started through a sort of small forest. Captain Locke came up to me and told me that two of the lieutenants had escaped from the column. I have never seen those two gentlemen to date, nor have heard that they have come back.

We started out with the number of 376 prisoners. When the two lieutenants escaped that brought us down to 374. I would say we walked roughly twenty miles that night and toward morning we crossed the 38th Parallel. It was just like any other place except there was a marker on the road and it meant something. Until then we had hoped we would be liberated, but at the time we didn't know if American troops would ever cross the 38th or not.

A little while after daylight a couple of planes came over—Captain Locke said they were Marine Corsairs—and the men started to scatter and so did the guards. Captain Locke shouted to stay put and most of us did. We waved everything we had, white rags, our jackets, and we shouted, although I don't imagine they could hear us.

I don't think any of us even breathed for a minute while there, while we waited. Then these two planes circled us again and they came down low and dipped their wings. That was their recognition continuously on our death march when we were walking during the

daylight. They started marching us off in the evenings and they always had us in school buildings. Every town we would come to they seemed to have school buildings and they always kept putting us in these school buildings.

You asked one of the former witnesses about the size of the rooms of the Korean buildings. I would say it would be approximately one-half the size of this room here, or perhaps even smaller. A majority of the time the floors were wood, but in many cases they were concrete floors in the permanent type buildings that had brick. They would crowd us in and at night time falling down we couldn't stretch out flat on our back. We would have to be on our right side or left side. This served a dual purpose. It provided enough room for all of the prisoners to enter the room and also by sleeping body to body it kept us warm, which was necessary. There was no clothing issued. There were no blankets. They had none themselves to issue. I don't imagine. The only thing that we would do, as we marched some of the men took these sort of, not bamboo, but these sacks that they keep their rice in and they would keep us a little warm. We would throw them over us. The nights were extremely cold as we kept going north.

Senator POTTER. Did you witness during this march when a person couldn't keep up that he was shot?

Capt. MAKAROUNIS. I witnessed everything except the actual shooting of the prisoners, sir. There were many, many—and by many I mean between twenty-five and thirty-five—who perhaps would come into that total that fell back, perhaps a little lesser figure than that, and although I did not see a person shot by this North Korean army Communist lieutenant—and I say he was a lieutenant because of the epaulets they wear, bearing one star with the Russian type insignia on the epaulet.

Senator POTTER. Second lieutenant?

Capt. MAKAROUNIS. The lowest second lieutenant, yes. They had three grades of lieutenants I believe and the captain I know to be four stars on the epaulet.

Senator POTTER. When I was a second lieutenant, they said there was nothing lower. What was the total number on that march that you gave?

Capt. MAKAROUNIS. The number that started out of Seoul, South Korea was 376. The total number that wound up in Pyongyang alive was 296. Those were from our own counts that we used to take along with the army guards.

Senator POTTER. Besides the men that you lost on the march as a result of not being able to keep up and who were murdered by the Communist guards, did others die of their wounds or malnutrition?

Capt. MAKAROUNIS. Yes. In the so-called sickroom of Seoul there was one who died of his wounds and malnutrition. He died right in front of my eyes, because I was in the sickroom. There was one lieutenant who passed away from pneumonia and malnutrition on the death march.

Senator POTTER. How long did that trip take altogether from Seoul to Pyongyang?

Capt. MAKAROUNIS. I have the date set as September 20th that we left Seoul, South Korea and arrived in Pyongyang, North Korea

on the 10th day of October 1950. I used that figure pretty definitely because we were in Pyongyang, Korea, for four days and nights and it was the evening of the 14th that they took the prisoner group out, my prisoner group out, and put them on trains, as I recall, from information given to me. That was the evening I made my second escape.

Senator POTTER. Did you escape from the prison in Pyongyang?

Capt. MAKAROUNIS. In Pyongyang, Korea, the evening that they took the prisoner group out, and this was on the 14th, since I was hidden six days and nights in my second escape, and the city fell on the 20th of October 1950, and I was liberated on that day.

Senator POTTER. How did you manage your escape?

Capt. MAKAROUNIS. One day—I believe it was the 13th of October—Captain Locke and I were sitting out in this large courtyard along with the other prisoners, killing all the lice on our bodies. That is about the only way you could get rid of them. He asked me what I would do if I had a chance to bug out, as we called it, which meant escape. I explained to him I would give my right arm right up to the shoulder to get in on something concrete like that. He explained the situation to me, stating that a Japanese-American soldier, a Sergeant Kumagai had arranged to have three escapes effected by contacting three Korean underground schoolmen who were in the building. The reason that this was done by Sergeant Kumagai was he could speak Japanese. Japanese was the only language allowed in Korea from 1905 until 1945, I believe. They did not allow the teaching of Korean in the schools.

The plan, as Captain Locke explained to me, was that the senior officer, the major, himself and Sergeant Kumagai, would be hidden out by these three Korean teachers who signified they wanted the senior officer also. The major declined the opportunity, being a West Point graduate, stating to Captain Locke that he felt as the senior officer he felt that his responsibility was with the men. I might say that the major was very, very weak. He had pneumonia and he was, I would say, a man that didn't have any food for three months, so what would you call that body, a starved body, along with the sickness.

Senator POTTER. Did the major return, do you know?

Capt. MAKAROUNIS. No. That is why I am not mentioning his name. He did not return. He was the major who was taken out on a pretense of feeding them along with my mess sergeant, who was the mess sergeant of the prisoner group at the Sunchou tunnel massacre. When the major declined the opportunity for some reason or other they wanted two other officers with Sergeant Kumagai, and Captain Locke told me I could make the escape with him.

Senator POTTER. How was that affected?

Capt. MAKAROUNIS. That was affected in the building that we were quartered in. On the evening of the 14th, just about one-half hour to forty-five minutes before they moved the prisoner group out for boarding the trains to move out of the city of Pyongyang, there were no guards in the corridor. Sergeant Kumagai had already made the contact with the underground school teachers and knew where to take Captain Locke and myself. We slid down the rear stairway, down to one of the numerous large rooms that were in

the building empty, and went to a corner of the room where there was a trapdoor about one foot square. He moved the table and we entered this trapdoor. We got into the what I call a cellar, but it is not, since it is only about two to three feet high, and there we stayed for six days and nights. The underground school teachers, one of them anyway, daily would come and bring us water, and a couple of times brought us rice and this poached corn, this roasted corn, like the Koreans roast their corn.

Senator POTTER. And you were there until you were liberated by the American troops?

Capt. MAKAROUNIS. Yes. I believe the book, sir, will bring out—I will look it over well and make a condensation of the thing—the points that you mentioned.

Senator POTTER. Yes. You do that. We do not know just what day it will be, but we will notify you ahead of time as best we can. Thank you kindly.

Capt. MAKAROUNIS. Thank you, sir.

Senator POTTER. We will be in recess until tomorrow at ten o'clock.

[Thereupon, the hearing recessed at 6:00 p.m. Monday, November 30, 1953, to reconvene Tuesday, December 1, 1953, at 10:00 a.m.]

KOREAN WAR ATROCITIES

[EDITOR'S NOTE.—Cpl. Lloyd Kreider and William L. Milano testified in public session on December 2; Cpl. Willie L. Daniels, Sgt. George J. Matta, and Sgt. Wendell Treffery, on December 3; Lt. Col. John W. Gorn, Lt. Col. James T. Rogers, Sgt. Orville R. Mullins and Sgt. John L. Watters, Jr. on December 4, 1953. Sgt. Robert L. Sharps and Donald R. Brown did not testify publicly.]

TUESDAY, DECEMBER 1, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met at 10:15 a.m., pursuant to notice, in room 357 of the Senate Office Building, Senator Charles E. Potter, chairman of the subcommittee, presiding.

Present: Senator Charles E. Potter, Republican, Michigan.

Present also: Robert Jones, research assistant to Senator Potter; Francis P. Carr, staff director; Donald F. O'Donnell, assistant counsel; Robert J. McElroy, investigator; Ruth Young Watt, chief clerk.

Senator POTTER. We will proceed.

For the benefit of you and others who were not here yesterday, Colonel Gorn, this is an executive session, and the purpose of our hearings is to develop the facts and to let the American people and other free people know the type of enemy that you men have been fighting.

While I am sure we are all thankful and appreciate the fact that the war in Korea, or the fighting and killing in Korea, has ceased, our battle against communism hasn't ceased. The beast-like atrocities that have been related here which you men are most familiar with is a pattern of the character of the enemy. The more people that know the character of the enemy, the better off we are going to be.

Now, Mr. Gorn, will you proceed?

We plan on holding public hearings beginning tomorrow morning at 10:30. We have a full schedule today, and we are going to have to rush along as fast as we can; and then we will prepare to go to open hearings tomorrow.

Now, Colonel, will you identify yourself for the record, giving your name and your unit?

**STATEMENT OF LT. COL. JOHN W. GORN, OFFICE OF THE
CHIEF OF LEGISLATIVE LIAISON, DEPARTMENT OF THE
ARMY; FORMERLY EXECUTIVE OFFICER OF THE WAR
CRIMES SECTION, EIGHTH UNITED STATES ARMY IN
KOREA, AND CHIEF OF THE INVESTIGATING
BRANCH OF THE WAR CRIMES SECTION**

Col. GORN. Mr. Chairman, I am Lieutenant Colonel John T. Gorn, presently in the Office of the Chief of Legislative Liaison, Department of the Army, but formerly from December 1950 to July 1951 I was executive officer of the War Crimes Section of the Eighth United States Army in Korea, and chief of the investigating branch of that section.

I might say in regard to my discussion of the particular case assigned this morning that I am not an eyewitness to the case, but I am acquainted with the facts through my official capacity as chief of the Investigating Section of the War Crimes Commission.

Senator POTTER. As I understand, in the War Crimes Commission they had an investigating staff and an interrogating staff, is that true?

Col. GORN. That is right.

Senator POTTER. As a result of the interrogations, certain statements were made, and it was your job as head of the investigating staff to investigate and determine the validity of the statements?

Col. GORN. That is right. We correlated not only the information that we got from our interrogation, but also information we got from field reports, and correlated them into particular war crime cases. This particular case is War Crime No. 164, or as it is commonly called, the Bamboo Spear Case, and it occurred in the vicinity of Mooju, which is to the southeast of Taejon. It is on 13 December 1950.

The committee no doubt will recall, though, at that time the actual combat area in Korea was considerably to the north, the Chinese Communists having just launched their first counterattack north of Pyongyang.

Now, despite the fact that the combat area had moved to the north at that time, from the time of the initial breakout from the Pusan perimeter, in September of 1950 until this time, and even throughout 1951, the area over here south and southeast of Pusan, a very mountainous area, was infested with guerilla activity coming from Communists and remnants of the North Korean Peoples Army.

So much then for the background, as far as the tactical situation of this case is concerned.

On 12 December a convoy of twelve vehicles manned by personnel of the Eighth Fighter Bomber Wing of the Fifth United States Air Force, left an airfield up in Seoul headed for Pusan down in the southern part of Korea. The convoy reached Taejon on the evening of the 12th and left three vehicles there for maintenance, and then proceeded on. This was in the middle of the night, close to midnight.

Shortly after going beyond Taejon, the column apparently made a wrong turn and got off the main supply route. Five of the vehicles continued on, and the sixth vehicle stalled, and those were all heavy vehicles, most of them with trailers, and the sixth vehicle in

the column stalled so that the column behind it was held up, but five of the vehicles continued on down the wrong road. Although they knew they were on the wrong road, they could not turn around because the road was so narrow, characteristic of most Korean roads.

Finally they reached a spot in the road where there was a filled-in bomb crater, and they halted down around the vicinity of Meouju because they were not sure the filled-in crater would support the heavy vans they had in the convoy. They waited there until daylight, and then at daylight one of the vehicles with two of the men decided that they would back-track up the road to contact the rest of the convoy.

Meantime the other four vehicles and eight men were to continue on the road they were on slowly and let the rest of the convoy catch up with them.

These two men and their vehicle rejoined the balance of the convoy at about nine o'clock, and the evidence is obscure there, but at any rate the balance of the convoy continued on to Taeju; instead of going on the wrong road, they turned around and hit the road. Upon arriving at Taeju they waited a considerable length of time, and the other four vehicles did not show. So they proceeded to Pusan, and an investigation was started to see whether or not they could locate the four vehicles, and this was started by the Somber Wing.

Senator POTTER. This is air force personnel?

Col. GORN. Yes, sir; air force personnel.

On the 17th of December, two members of the 565th Grave Registration Company in Taejon were in the vicinity of Meouju, and they had heard that the four missing vehicles in question had been ambushed south of Meouju at about 900 hours on the 13th of December.

They got the support of about thirty soldiers from a Republic of Korea battalion stationed there and there they found three bodies. They were scattered among the vehicles. The vehicles were partially burned out and had been abandoned. The bodies, some of the bodies were burned.

Senator POTTER. Some of the bodies were burned, as if burned in the vehicle?

Col. GORN. From the report we have, apparently they were either killed in the fight, shot in the fight, or burned in the vehicle. In sweeping through the area down to the scene of the ambush, the Republic of Korea troops took four prisoners, none of whom were in the so-called guerrilla band that had ambushed the convoy. However, one of the prisoners stated that he had heard from other sources that the guerrillas had taken five other Americans from the group and taken them to their party headquarters at Maesonri.

He also stated that these men had been stripped entirely of their clothing. The clothing, of course, was taken by the guerrillas themselves.

On the 27th of December, information was received at Taejon that the Republic of Korean troops operating in the vicinity there had found five more American bodies South of Meouju, between Chochonri and Maesonri. Unfortunately, I cannot find those loca-

tions on the map there. These bodies were recovered by the Grave Registration Company.

When the Republic of Korea troops found them, the men were entirely naked and their hands were tied behind their backs. Upon further examination, all of the bodies showed multiple puncture wounds throughout, mainly on the chest and arms, but also in the face and the neck and the upper abdomen; and the number of puncture wounds on the bodies varied from three to as many as fifteen to twenty.

It was the opinion of one of the doctors who examined the bodies that the wounds were probably caused by some sharp instrument, and that they had undoubtedly resulted in prompt death because there were no signs showing later infection or healing. These five bodies as well as the previous three that had been found were identified as being the missing members of the lost convoy. It accounted for all eight of the members of the convoy.

Senator POTTER. Were they buried or just lying on the ground?

Col. GORN. My information on that is obscure, Senator. As I recall the grave registration account, I cannot recall whether they had to dig up the bodies or not.

Some period later, at least it was after I left the War Crimes Section, certain natives of the village were interviewed, and they stated that the vehicles had been attacked by remnants of the North Korean Peoples Army operating in the area as guerrillas. There was evidence that this attack was carried out by a so-called Anson group and the prisoners were taken to the headquarters of this group after the ambush.

One of the guerrillas later was taken prisoner by the United Nations forces and interrogated by members of the War Crimes Section, during which time he admitted shooting three of the Americans two hours after the ambush on orders from a Lieutenant Lihanson, and that he thereafter, also on orders of this officer, stuck the bodies with bamboo spears. He stated that the other prisoners had been killed by another guerrilla about a day or so later.

We were never able to locate the reported other guerrilla, and Lihanson was killed almost at about the same time we received a report on the case. Apparently the strength of the force was about eighty that attacked the convoy.

Senator POTTER. You do have an account that at least this one soldier was killed at the direction of the officer in charge?

Col. GORN. Three of them were.

Senator POTTER. Three soldiers?

Col. GORN. Three of them were killed at the direction of the officer in charge.

Senator POTTER. It would be a natural assumption that the others were killed under the same directions?

Col. GORN. That is right.

Senator POTTER. Now, Colonel, you have used the term "Grave Registration." I know what grave registration is, but it would be well for our public hearing to just briefly state what you mean by "Grave Registration."

Col. GORN. Grave registration unit, of course, has the unhappy task of recovering the bodies mainly of our dead; and consequently, whenever casualty reports are received, particularly areas that are

off the beaten path of normal collection, the grave registration unit is assigned the duty of locating any bodies and identifying them for the purposes of future casualty reports.

Now, as far as the operations in Korea were concerned, of course, the so-called Indian country which existed so much beyond the Pusan perimeter made it necessary to have grave registration teams operating continually in that area, because very often bodies were located some months after combat had passed through them.

Senator POTTER. Was it their job to try to locate the bodies and to identify them?

Col. GORN. Yes, and then take them to the central collecting or temporary burial spot.

Senator POTTER. Now, I think, Colonel, that is what we wanted you to present; and we have some pictures. Did you see the bodies?

Col. GORN. No, I did not.

Senator POTTER. It was your teams that got the reports?

Col. GORN. That is right.

Senator POTTER. We have a Colonel Rogers with the Medical Division, I believe. Colonel Rogers, will you come forward?

STATEMENT OF LT. COL. JAMES T. ROGERS

Senator POTTER. Will you identify yourself for the record?

Col. ROGERS. Mr. Chairman, I am Lieutenant Colonel James T. Rogers, presently with the Medical Section, Headquarters, Fourth Army. At the time that these atrocities were committed, I was with the Medical Section. It was the "I" Corps in Korea.

Senator POTTER. What is your home address?

Col. ROGERS. My home address is 16 Calhoun Avenue, Greenwood, South Carolina.

I viewed these atrocities of five soldiers at the National Cemetery in Taejon, Korea. These five soldiers, in my opinion, were subject to multiple wounds of the face and chest and abdomen as a result of some sharp instrument which caused their death. I am of the opinion that this sharp instrument was heated.

Senator POTTER. It was heated?

Col. ROGERS. I felt like it was red hot, and these bodies were probed and stuck, and you could see where the tissue receded and where it was all pitted. I am also of the opinion that as a result of these multiple perforating wounds, these individuals died from internal hemorrhage.

Senator POTTER. We have here a couple of photographs that are purported to be of the five men that you mentioned, and I will give them to you to see if you can identify those photographs as being photographs of the men that you examined.

Mr. O'DONNELL. Those are from the official army files in the case.

Col. ROGERS. These are the men.

Senator POTTER. Colonel, is it your belief that they were punctured by bayonets or by bamboo poles or by both?

Col. ROGERS. I felt like in review here of the statement and the certificate that I submitted, I remembered that one of them apparently was bayoneted up under the chin. One of them seemed to have a gunshot wound in the head. The others had all of those multiple perforations that appeared to be with something that was

red hot and we just made an assumption that those were the result of maybe the heating of an iron rod or the heating of some bamboo sticks.

Senator POTTER. The multiple wounds that you examined, they alone would have caused the death of these men?

Col. ROGERS. Yes, with the multiple wounds and then the fact that they stuck them apparently, we thought maybe they must have tortured them to begin with and then they stuck them into their abdomen and chest which resulted in hemorrhage.

Senator POTTER. Thank you kindly, Colonel.

Col. ROGERS. One question that you asked or something about them being buried. These fellows gave no indication of having been buried when I saw them; they were stark naked and lying out there and there wasn't any dirt or anything else in ears or anything like that that would indicate that they had ever been interred.

Senator POTTER. It would be your assumption that they were just left there on the ground where they were killed?

Col. ROGERS. That is right.

Senator POTTER. I do not know just when you will be scheduled to appear, Doctor, except probably Thursday. So, thank you for coming down and you are through for today. If you want to stay, you are perfectly free to do so; however, if you care to leave, why you can, and we will notify you. I would appreciate it if everyone would be here later.

Will Corporal Kreider come forward please?

STATEMENT OF CPL. LLOYD KREIDER

Senator POTTER. Corporal Kreider, will you state your name and your unit for the record?

Cpl. KREIDER. Corporal Lloyd D. Kreider, RA 13266788, 307 Medical Bureau, Fort Bragg, North Carolina.

Senator POTTER. What is your home address?

Cpl. KREIDER. Westwood, Pennsylvania.

Senator POTTER. Can you tell me when you went to Korea and what unit you were attached to at the time?

Cpl. KREIDER. At the beginning of hostilities in Korea I was a member of the 34th Medical Company, 34th Infantry Regiment, 24th Division, and I was with the first outfit that landed in Korea.

Senator POTTER. Can you briefly give us a little description of how you were captured?

Cpl. KREIDER. It was on about August 4; 34th Regiment was overrun that night, and I was an aid man, and I was taking care of some wounded and trying to get a man back to the rear, and it seemed that they annihilated the 34th Regiment at that time. I could not find the rear. So I carried this wounded patient on my back for awhile and then he died, and I left him lying in the weeds.

Then I hid out that night and all of that following day, figuring that the Americans would come back and maybe I would be liberated. So then the following day, the following night, I tried to make it back through the dark, and I could not find my sense of direction so well, and I stumbled along all night long.

Early next morning, it was getting daybreak, and I saw a communication wire and I figured it was an American army commu-

nication wire, and I followed the communication wire, and it went between two ridges. I followed that wire for about five miles, and I saw on a hill it looked like American soldiers, and I went up towards them, and I was certain it was American soldiers; and I yelled, "Wait on me," and I was hysterical, and I did not eat for quite a while, and I was glad to get back. And it was a bunch of North Koreans came walking out and started shooting at me, and so I yelled to them in Japanese—and I can speak fluent Japanese—not to shoot me.

At that time it seemed like the sergeant or whoever was in charge of this group of North Koreans held back their fire. And a few minutes later they started shooting again, and I acted like I was hit and I rolled down over the hill, and I went in the opposite direction.

Then I walked all of that day and towards evening and I heard some more Koreans patrolling yelling at me. I didn't want to turn around and I kept going, and they started shooting, and I was so fatigued and tired, and one piece of shell bit me along the eye, and I passed out, because I fell.

When I came to, there was this North Korean, North Koreans standing there in front of me. They asked me for my rifle, and I told them I was a medic and I did not have a rifle. I asked them in Japanese if I could have a drink, and they let me drink some water.

So they told me they would take me to a school to learn communism. So I stayed in their line about one week, the front line, and then they took me down to Naktong River.

Senator POTTER. What did you do while you were in their lines? Did they put you to work?

Cpl. KREIDER. At that time they did; during the day I was carrying water for them out of the stream; and a lot of American aircraft were in the area, and they were afraid to go out of the holes, and I would go out and get water for them. And during the night they had a guard watching me. That lasted for about one week and then they took me across the Naktong River, and there were about fifteen other prisoners there, and they kept us there one day, and most of the men were wounded, pretty badly.

So they kept us there; and they moved us out, and we all had to walk. And one boy was shot right below the heart, and he had a hard time walking, and I remember the guards used to kick him and we would pick him up. They would tell us to leave him behind, but we tried to take him along with us, because we knew they would shoot him. Later that day, finally, they made us leave him behind, and we do not know what happened to him until later.

Senator POTTER. You never saw him again?

Cpl. KREIDER. No, sir. Then I was taken a few miles back to the rear and stayed there another day, and then we kept on that way, each day we kept moving back in the direction of Seoul and Taejon. The further back we went, the more American prisoners they would have, until we had quite a few, and I do not recall how many there were. I would say approximately fifty on that march.

Senator POTTER. After you were captured, did they take away any of your clothes?

Cpl. KREIDER. The first thing they did was take all of my clothes except my pants, and they took my shoes and everything I had, and they gave me only one boot. It was tight and I could not put it on, just one big Russian boot it was; and so they didn't give me anything since then the whole time I was prisoner, to wear.

It was better out of clothes because they had so many lice, you could take them off by the handfuls on their body, and they had no medications, and they got in your clothes and it bothered you more with clothes. When the winter came, and it was colder, a lot of the men died from malnutrition and from exposure.

Senator POTTER. During the march back to Seoul, did you witness any men being killed by the guards?

Cpl. KREIDER. Yes, sir; the men got weaker and weaker as each day went by; and the Korean guards, we know they were shooting them, but we were not sure at first. The North Korean guards told us not to take them with us because one rotten apple would spoil the whole bunch, and if one man is carried by two healthy men, we will get weak and we would also die. Finally, they would not let us carry them any longer. They took them into villages, and we heard them shooting, but I did not witness any killing at that time until we got close to Seoul, and then we were getting so weak and they wanted to move us fast. Then I saw them shoot one man on the road march; there was only one man I saw get shot.

Senator POTTER. Can you tell us what happened with the man who got shot?

Cpl. KREIDER. What happened, a few of them were shot, and he came back to the column, and we were marching north, and they took some of the men who were so weak and they had their legs swelled up from beriberi or lack of food, and they went out of their mind, and they did not want to walk, and they would fall, and it is better to be dead, and we tried to drag them with us.

The guards would tell us to move on, and they would take them back, and we heard them shooting; and I saw one guy make it back to the column, and he was shot in the leg, and he died the following day. And that is how I know that they were shooting the prisoners at the time.

I didn't witness any more killing except from men who would die from malnutrition and on the wayside, and many men would die from malnutrition.

Senator POTTER. Can you estimate how many men died or were killed on that march up to Seoul?

Cpl. KREIDER. Sir, I think it was about one-third of the men, approximately one-third of the men. Along the wayside they were taken out, ten or five at a time, and we accumulated different men at different points.

Senator POTTER. Most of the march was made at night?

Cpl. KREIDER. All made at night, until we got to Seoul, and we walked all night long and part of the morning, and then when the sun would come out they would hide us in a field or put us in some school building or a church.

Senator POTTER. Did they feed you on that march?

Cpl. KREIDER. If they had any food, and sometimes we walked all night long and the men were so hungry and weak they could hardly stand up, and we would fall, and actually we were all casualties

and we were picking each other up, and we got to a town and they would say there is no food, and we would go one more kilometer, and one kilometer is not quite a mile; but they would make it about twenty-five miles for one kilometer; and we would go to another village. Some days we got a rice bowl, and some days we got nothing. That is what the men were dying from.

Senator POTTER. Did they march you through the town for public display?

Cpl. KREIDER. It was the main thing; they stayed in towns and a lot of civilians would come around, and I remember one said "American spy," and he spit on my face. They used to make a public display out of us because we were so weak and undernourished, and they were telling the people that that is the way we were in the United States, and we didn't have food, and they used it for propaganda.

Senator POTTER. Were you beaten on the march?

Cpl. KREIDER. On the march to Seoul I was just pushed and kicked around, and everybody was treated cruelly, but actually I was not inflicted with any wounds, but many other men were inflicted with wounds.

Senator POTTER. After you reached Seoul, how long were you there?

Cpl. KREIDER. I went to that girls' school in Seoul, and I was there approximately three weeks, and in that school they tried to teach propaganda. They had an officer come around and read us lectures on Russia, and we had a lot of books made from the Moscow Language Institute, and I noticed that on the cover.

Senator POTTER. They were made where?

Cpl. KREIDER. Moscow Language Institute. They used to teach communism as the New Russia, and we would argue with them and tell them how poor it was, and they said it was New Russia.

Senator POTTER. Did they endeavor to try to make you sign statements?

Cpl. KREIDER. They wanted us to write out, and they gave us speeches, and they wanted us to write an essay, and I never signed a statement that I recall, but they made us sign our name on a blank piece of paper, and there were about seven of us, and I don't know if they wrote something to that blank piece of paper or not, but I never made any broadcast. They made some of the men make broadcasts on the radio.

Senator POTTER. Did they ask you about home life, about your parents, what your father did?

Cpl. KREIDER. They wanted to know, that was one of the first things they wanted to know, if my father was a capitalist, and I said he was a carpenter. And he said he liked carpenters and farmers, and so everybody turned out to be farmers after a certain length of time.

Senator POTTER. You were treated better then?

Cpl. KREIDER. They wanted to impress everybody. In a movie, they showed us one movie of Washington, where they had a fat man sitting up drinking wine and all people raggedly walking around, and it was a lot of propaganda, and someone who lived in America would know it was all foolish propaganda; but they tried

to impress upon us that the American people were living in under-nourished state.

Senator POTTER. In what form did these interrogations take place? Were you called into a room?

Cpl. KREIDER. We had three rooms, and they kept some of the officers in Seoul in one room for awhile by themselves, but most of them were usually under confinement because, I guess they did not want them to be with the enlisted men.

In this one room they made us read, I believe, about four hours a day, books, and they had one man stand up and read to the rest of the men, and then sometimes the North Korean high-ranking officer would come in and give lectures, and he had an interpreter, and they showed us a movie, and also he said in the lecture how the South Koreans invaded North Korea. And first he said they sent a peace delegation and they never returned, and that is when they were mad, and then they still didn't fight and the South Koreans asked them for a peace and they attacked back.

Senator POTTER. They were trying to tell you that it was an act of aggression by South Korea rather than by North Korea?

Cpl. KREIDER. We knew it was foolish propaganda, but they tried to make us believe that.

Senator POTTER. When you were being interrogated, did they beat you at all or pull out their pistol?

Cpl. KREIDER. Many times they did that; they threatened to shoot us, and they asked me how many planes I had, in Japanese; and they used to interrogate me a lot because I could speak Japanese, and I would always say approximately five or ten, and they would get mad until they got fed up with it, and I figured they would shoot us. I said everybody had their own airplane. Then they said, "Where is your airplane?" And I said that I wrecked it, and they never asked me after that. I believe they believed it, and they believe fantastic stories sometimes.

Senator POTTER. How many times were you interrogated at Seoul?

Cpl. KREIDER. Mostly I was interrogated on front line, at school it was mostly all propaganda and they were trying to teach us communism and talking about the evils of capitalism, so-called, and they were trying to impress how good they lived, and I could see they didn't live good, and that is what they were mostly trying to impress on us.

Senator POTTER. Did they ever ask questions or try to propagandize you against the American army and against American officers?

Cpl. KREIDER. No, sir, I don't recall them ever talking against that. They were just talking about why were we in the army and they thought we made good money, and they figured we were in the army because it was the only way we could make a living.

Senator POTTER. Did they ask you whether your parents had an automobile?

Cpl. KREIDER. Yes, sir; that is one of the things, if I had an automobile, and I said that I did, and they thought I was a capitalist. It was before I got to Seoul, and this North Korean officer wanted to shoot me, and I got in friendly with this one North Korean who seemed to be an American sympathizer, and he used to tell me

what was going on and he told me they wanted to shoot me and said since I was an interpreter they saved my life. I think he was telling the truth.

Senator POTTER. Did you know a Mr. Kim, was a Mr. Kim there?

Cpl. KREIDER. Yes, sir. I cannot say what he is, but he was about as low down as they come, I think. He was supposed to be a newspaper reporter in Seoul, and he said he was a Communist, and he was taken over when the North Koreans took over that camp, but he called us low-down names and names that could not even be mentioned and he used to kick us around.

They had a radio in our room, and we were supposed to listen every evening to Seoul City Sue; and one evening we turned on to Tokyo, and they must have had it wired, and they knew we had it on, and he came in and kicked everybody around and they took it down to the mess hall, and every evening they made us all go down to listen to that broadcast from Seoul City Sue.

Senator POTTER. Was he in charge of the propaganda?

Cpl. KREIDER. I don't know if he was in charge. I was not sure about that, but he was probably the best speaking English, and that is why they used him here, but I don't think he was actually in charge. I noticed they had a Russian civilian came around three or four times to that building.

Senator POTTER. A Russian civilian did?

Cpl. KREIDER. And they took pictures of us, two men together, and the North Korean officer and the civilian, and twice he came to the building, and we were sitting down and they told us to stand at attention, and this Russian civilian and a North Korean officer just looked over the building and asked if we liked the food. We didn't have any food that day, but we had to say we liked it. We said it was okay, and that is all we said to them, because it would not be any use to say anything else.

Senator POTTER. The movie that they showed you, was that Russian made?

Cpl. KREIDER. They were Russian speaking, because the speaking was in Russia and the characters were Korean characters, and so I believe it was for propaganda for Korean soldiers, and they had the Korean PW's to see the movie also.

We had movies in Japan that were the same way, and they had English speaking and they had them in Japanese, and so I figure they were Russian movies for propaganda in Korea.

Senator POTTER. Have you ever been contacted by the Communists since you have been home?

Cpl. KREIDER. By whom?

Senator POTTER. Have you ever received any letters?

Cpl. KREIDER. No, sir, I never have, and I don't expect to either.

Senator POTTER. What happened after you left Seoul?

Cpl. KREIDER. Well, that is when it really got bad, and they really got cruel with us. When the Inchon landing came on, we had a South Korean that was driving a truck in that school that had a lot of North Koreans, and this South Korean was driving a truck and he brought in supplies, and he told us that the Americans were a small way from here and he saw the flares coming, and we knew that there was going to be a landing, and they were coming up from the south.

They moved us out one morning early in the morning, and it was dark and they moved us out and said we had to move out, and we would go one kilometer, and that is when they took us up to Pyonyang.

Senator POTTER. This was on a foot march again?

Cpl. KREIDER. All of the men were so weak they could not even sit up, and they just laid down like a corpse, and they could not even sit up, and some of them as soon as they got to the area died, right away some of them died. I believe they left some of them in the building, and I don't know whether they were ever repatriated or not or were shot.

Senator POTTER. There was a considerable amount of cruelty exhibited on this last march?

Cpl. KREIDER. On the way to Pyongyang there were many people falling out from the march, because they had no food and very seldom got anything to eat; and each day it got worse and worse, and the men were going down, and each day the number increased that would fall out; and we never knew what happened to the people who fell out, because we figured they would be shot.

The guards would let them come back and would catch up with the group. We heard them shooting, but I wasn't an eyewitness at that time, but when we got to Sunchon.

Senator POTTER. Who was in charge of this march? Did they have Korean officers?

Cpl. KREIDER. I understand there was a lieutenant, and I don't know the insignia too well, but there was a young officer, and he was a clean-faced officer, no marks I could recall, and he was small featured, and he did not weigh much more than one hundred pounds, and I really don't know who it was.

Senator POTTER. Did he order—

Cpl. KREIDER. I saw he was the one who shot one of the men, also.

Senator POTTER. He shot one of the men?

Cpl. KREIDER. Yes, sir.

Senator POTTER. So from what you witnessed on the march, it was evident that it was a command decision, and it was not just some guard, but it came as orders from the officer?

Cpl. KREIDER. It was from the officers.

Senator POTTER. Do you know whether this was the same march that Corporal Martin was on?

Cpl. KREIDER. From Seoul, yes, sir; it was the same march.

Senator POTTER. All right. Then what happened?

Cpl. KREIDER. We kept going until we had approximately 370 men when we left Seoul, and they marched us on the way to Pyongyang, and I am not sure how many died on the way, but I know a lot of them died from malnutrition, and we got to Pyongyang, and they kept us there a week or a week and a half in another building, and we saw the flares coming over there; and they moved us out again and the same way as before, and the men were weak, and they would not give them any food or would not let them go to the latrine, and it was in horrible conditions, and a lot of men could not stand up and could not even close their hands.

Senator POTTER. It was in this confinement at Pyongyang?

Cpl. KREIDER. Yes.

Senator POTTER. How long were you there, about a week?

Cpl. KREIDER. Approximately a week.

Senator POTTER. And you could not leave the room to go to the latrine?

Cpl. KREIDER. A lot of the men were so weak they could not even stand up, and they would black out and they were just living corpses, but a few of us, we had to talk to the guard, and they would not let us go, and the guard wouldn't let us go to the latrine; once in a while they would let one or two of us go, but most of us never had a chance.

Senator POTTER. Were conditions much the same there as when you were confined in Seoul?

Cpl. KREIDER. I believe they were worse, sir. Every time it seemed that they would retreat, when the North Koreans were retreating, they would always get rough with us, but as soon as they thought they were winning, they would be nicer to us because they figured maybe they could teach us communism.

But I always was under the impression if it got so bad that they were going to lose the war, I knew they were going to kill us sooner or later.

Senator POTTER. Did they try to give you any Communist propaganda while you were there?

Cpl. KREIDER. No, sir, I don't believe they had time; all they did there was just let us lie around. I went out with a detail to the graveyard and they had a few men die every night, and we used to carry them out there, and they would take me along as interpreter, and we would bury a few men every day, and I found leaflets dropped from the air, one of them had a picture of General MacArthur and Mr. Truman on it.

Senator POTTER. These were Communist leaflets?

Cpl. KREIDER. No, sir; they were dropped from the air, from our forces, and they were calling for Kimysong, calling on him to surrender, and that was one of the leaflets; and we knew then that the country was being taken over by the United Nations.

Senator POTTER. They moved you out of there?

Cpl. KREIDER. Yes, right before our forces; and the same condition was there at Seoul, a lot of men could not even stand up, and they would hit them over the head with the rifle butts and kill them right there on the floor. Some died outside the building after we carried them out.

Senator POTTER. In other words, the men that could not get up to go to the march were beaten to death with rifle butts?

Cpl. KREIDER. Yes, sir, and we could not carry them all; we had so many we could not carry them, but each one of us was helping to carry someone. We were all weak and we could not do much about it. They took us on a train at Pyongyang and took us right outside of the city a few miles, and I don't know exactly how long later, a few days later, right close to a week, they took us out into a field and he was supposed to be a South Korean guard, or he said he was, but he told me that they were going to shoot us.

I didn't know if he was telling me that to scare me or really believed it, but he took us out on a field and American planes came out and then they took us back to the train, and the American air

force knew where we were, and they were scared to do anything because they would follow us, and they knew we were on the train. And other times they would move us out at night. I was wondering why they moved us out at daytime and the air force knew we were in there.

That same day they took us to Sunchon, above the city, right to a tunnel, and they put the train cars in the tunnel; and some of us were in a coal car. They left us in that tunnel until it got evening.

Senator POTTER. Were you in a coal car or boxcar?

Cpl. KREIDER. Sir, I was in a coal car before we got to Sunchon, and I believe they disconnected some of the cars there for some reason and put another train on. I believe they just took boxcars then to the tunnel, and I think that that is what I was in at the tunnel; it was in a boxcar. They took us out there, and that day or that evening and they said they were going to give us chow. They wanted about forty at a time to go to eat. That very morning they took all of the officers out from the group and they said they were going to take them to Manchuria; I don't know what they did, but they told me that.

That evening they took us out, by groups of forty, and I was in the second group, and they took us along an embankment, and they told us to sit down; and I figured what was going on. Everybody was too weak to run or too weak to even walk hardly, and they just set there and they opened up fire, six guards; and one boy fell on top of me, and he had his arm up over my face, and I guess they figured I was dead. That is why they let me go.

Senator POTTER. Were you hit?

Cpl. KREIDER. Not seriously, just grazed on the knee at the time. So then there was one more man that survived, Master Sergeant McFadden, and he was pretty weak, and I think he was out, and I helped carry him back, and we went back to, part way, to Sunchon, and it was too cold to walk. So we laid in a corn shock, and the next morning the North Korean civilian gave us food and he took us back to Sunchon where we met up with South Korean forces; and from there we were taken back to Japan and the States.

Senator POTTER. Corporal, I assume because of your knowledge of the Japanese language that you were able to receive much more information than the average man who had no knowledge of the language, and you certainly saw the Communists operate at first hand. Do you have any expressions that you would like to make on your own as to that?

Cpl. KREIDER. I noticed one thing especially in North Korea. I spoke with many, many civilians at the graveyard and especially crowded around when we were burying the dead, and we would read the Bible, and the North Korean guards didn't like it. This old woman she went okay and folded her hands like she was praying, and the guards jabbed her with a bayonet.

Senator POTTER. The guards jabbed this lady?

Cpl. KREIDER. And I noticed North Koreans were very sympathetic to us, the civilian population, and they would sneak apples to us, and I was standing there and one boy touched me, a little boy, and he gave me some North Korean money and gave me an apple. And on the way back to the camp after burying the dead,

I asked if I could buy some apples, and he said, "Where did you get the money?" And I said that I found it, and that is where I got a little food in there at Pyongyang that way, through the help of the civilian population.

I noticed that the people who had been living under communism, I believe, hated it more because they know what it is, and I noticed the North Korean civilians hated it much more than the South Korean civilians did.

Senator POTTER. It is a form of government you hate to see come here, isn't that true?

Cpl. KREIDER. I think that I would sooner be dead than living, under communism, myself.

Senator POTTER. Thank you, Corporal.

We will let you know when you are to appear.

Senator POTTER. I would like to call Sergeant Sharps.

TESTIMONY OF SGT. ROBERT L. SHARPS

Senator POTTER. Sergeant, would you state for the record your name and your present outfit?

Sgt. SHARPS. Sergeant First Class Robert L. Sharps, 14 AAA Battalion, Fort Monmouth, Virginia.

Senator POTTER. Sergeant, what is your home address?

Sgt. SHARPS. High Point, North Carolina.

Senator POTTER. Sergeant, you have heard some of this testimony. Were you here yesterday?

Sgt. SHARPS. Yes, sir.

Senator POTTER. And you heard Corporal Martin's statement and you have heard Corporal Kreider's statement this morning. If my information is correct, you were on the same march, is that correct?

Sgt. SHARPS. Yes, sir.

Senator POTTER. And were you in the tunnel massacre?

Sgt. SHARPS. Yes, sir.

Senator POTTER. I am wondering if you have anything to add to the story of the march. Was your march much the same and did you have the march up to Seoul first?

Sgt. SHARPS. Yes, sir, my march up to Seoul, none of these fellows were with me, I was on a different march.

Senator POTTER. Did the same conditions prevail?

Sgt. SHARPS. Yes sir.

Senator POTTER. Did you witness, or were any of the men who couldn't keep up, were they shot by the Communists?

Sgt. SHARPS. Yes, sir, they were.

Senator POTTER. Did you witness any of them being shot?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Would you mind telling us some of the experiences or what you witnessed?

Sgt. SHARPS. I was a medical aid man in Korea.

Senator POTTER. First you might tell us the unit you went over to Korea with and when you went to Korea.

Sgt. SHARPS. I went on July 4, 1950 with the 19th Infantry Regiment. I was assigned to George Company of the 19th Regiment as medical aid man.

Senator POTTER. Will you tell us how you happened to be captured?

Sgt. SHARPS. We were cut off after the Communists crossed the Kum River and my company was cut off, and due to misguiding or misleading information, my platoon was left behind and we stayed behind for an extra day.

When we came to realize it, we were far behind the enemy lines, and we walked into a trap and the enemy fired and there were forty-three men in this platoon, and at this particular time they killed all but four of us.

Senator POTTER. In that first fighting?

Sgt. SHARPS. Yes, sir, and when it came dark they came down and searched the bodies, and bayoneted quite a few people that weren't dead. I was one of the lucky ones that didn't get hit. I know that they had bayoneted them because I was a medical aid man and after the Communists left I went to them and helped them as much as I could.

Senator POTTER. The ones that were wounded, they went and bayoneted them and killed them?

Sgt. SHARPS. Yes, sir. The four of us went to hills and tried to find our way back at nights, but after four days without anything to eat I went to get some food and I was the only one who wasn't wounded, and when I was down to get food the Communists caught me. They ran at me and forced me to surrender, and they started asking me right away political questions.

Senator POTTER. Right away?

Sgt. SHARPS. They asked me what I thought about General MacArthur, and what I thought about the president and so forth and so on.

I had to play ball with them. I did because they would have killed me. They took me to Taejon then and put me in prison, and there were some thirty to forty other guys there when I arrived.

They had no medical aid at all. I tore the clothes up, my clothing, and theirs, and patched them up the best I could, but they had no medical aid from the Koreans whatsoever.

Senator POTTER. When you were captured, did they take your shoes away from you?

Sgt. SHARPS. They did.

Senator POTTER. And other personal effects?

Sgt. SHARPS. Yes, sir, and they told us that from Taejon they were going to take us to Seoul and we would be put aboard planes and flown back to the States. That is what they told us to get us to march. The men that could walk were started on the march north and we went to Seoul.

All the way up to Seoul people that couldn't make it were shot. Mine differs from most of these people because they didn't try to hide it; they didn't try to hide the shooting of people.

Senator POTTER. Did they have Korean officers in charge of the march?

Sgt. SHARPS. There was one Korean officer and he was in charge and the rest of the people were guerrillas or police.

Senator POTTER. Did the Korean officer do any of the shooting?

Sgt. SHARPS. Yes, sir.

Senator POTTER. So that it was part of their command policy then to just shoot the ones that couldn't keep up with the march?

Sgt. SHARPS. In my opinion that is what they did.

When we were staying in buildings, it seemed that we were put in the buildings that were the most conspicuous ones they could find, and we were put in a lone building some place and our planes would strafe daily. They would kill quite a few of the prisoners because there was no way that they knew we were in those buildings.

Senator POTTER. There was no markings at all?

Sgt. SHARPS. No.

Senator POTTER. No markings that there were prisoners in there?

Sgt. SHARPS. No, sir, our rations up until we arrived at Seoul were about one rice bowl a day if we were hungry. The only time we could eat was when we went through towns.

Senator POTTER. Did they do the same with you? Did they march up through towns for public display?

Sgt. SHARPS. Yes, sir, they did. They had no restriction on who could talk to us, and who could harass us and who could beat us and there was no restriction. Civilians, the kids, and soldiers, and anybody.

Senator POTTER. They would come up and beat you?

Sgt. SHARPS. Yes, sir, that is what they did.

Senator POTTER. Then when you arrived at Seoul, were you confined in the same building that Cpl. Kreider was confined in?

Sgt. SHARPS. Yes, sir, and in those buildings it was a school for girls and it was laid off like one of our schools. They had different sections and they split the prisoners up in there, and we had mandatory classes and Communist literature that we were required to read. And they had movies, and in the movie that fellow mentioned yesterday, something he left out about the movie, there was some American officer in the movie. I don't know who was playing the part, but they always made him out as a drunk and he was always drunk and he never was sober.

Senator POTTER. In other words, the man who was playing the part of the American officer was always the drunkard?

Sgt. SHARPS. He was always intoxicated.

Senator POTTER. Did they interrogate you while you were there?

Sgt. SHARPS. They asked me what my family were, and I told them that they were workers and they didn't like white collar people, or people that had important jobs. Most of the fellows told them they were either farmers or machinists or something like that.

Senator POTTER. If they told them that, they didn't treat you badly?

Sgt. SHARPS. That is right. They told us the history of the second war, that when Japan surrendered we failed to go into South Korea, and the Japanese had torn the country to pieces. And when we wouldn't go in and stop them, the Russians moved right away and stopped the Japanese from tearing the homeland up and the Americans didn't care. They didn't care why or anything about the Korean people. One of the officers who is still alive now would argue with them on points like that.

Senator POTTER. How would they react when he would argue with them?

Sgt. SHARPS. They didn't like it at all, and they didn't bother him physically.

Senator POTTER. Was this Mr. Kim there when you were there?

Sgt. SHARPS. I don't know exactly what his job was, but he could speak perfect English and he knew all of the slang, too. He knew all of the American slang and he could understand anything you talked about. I don't know exactly whether he was in charge or not. I don't think he was, and I just think that he was an interpreter. We had Russian people come there, too.

Senator POTTER. You had Russians, civilians, going into the camp?

Sgt. SHARPS. Yes, sir.

Senator POTTER. What would they do?

Sgt. SHARPS. They were always accompanied by the North Korean high officers, and they didn't have anything to say much at all, except we had to stand at attention.

Senator POTTER. Did the North Korean officers give them a great deal of respect when they came in?

Sgt. SHARPS. They did.

Senator POTTER. We can assume that they were influenced by these Russians and the people coming in to look the camp over?

Sgt. SHARPS. That is right, sir. I remember one time when they had come and they took us all and gave us haircuts and tried to get us to looking as best they could when they came.

Senator POTTER. So that you are of the opinion, as a result of that and other things that they had a great deal of influence on the operations of the camp and they wanted to impress their superiors?

Sgt. SHARPS. That is right.

Senator POTTER. Do you have anything else you would like to add that hasn't been covered by the prison conditions at Seoul?

Sgt. SHARPS. Not at Seoul, no, sir.

Senator POTTER. Then you were on the march after the landing, they took you out of Seoul?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Were you on the same march as Corporal Kreider?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Do you care to add anything to what he stated about the march?

Sgt. SHARPS. Only that there was food on the march; there was food available. Pumpkins and apples on the roads at the side of the roads and it would have been no trouble for them to let us have them, but they wouldn't let us do it.

Senator POTTER. They would not let you have them?

Sgt. SHARPS. No, sir, some of the fellows who were hungry, and the worse ones, would run out into the fields and they would shoot them. The only time we could get water was when we would stop and some of the fellows were drinking out of mud holes. That is the way we got water. We carried water, but they would not let us have any.

Senator POTTER. Then you arrived at Pyongyang?

Sgt. SHARPS. Yes.

Senator POTTER. Were you confined in the same place as Corporal Kreider?

Sgt. SHARPS. Yes, sir.

Senator POTTER. And do you have anything you would like to add to that?

Sgt. SHARPS. I know they had a sick room, a special sick room, and they didn't set the room up; we did. We kept the people that couldn't move in this one particular room, and in this room when they told us we were going to move again, and we were going to the Manchurian border, the people in this room could not move and they were weak and the guards came in and they killed almost all of them with their rifle butts. They refused to let us carry them because they were in a hurry.

Senator POTTER. They would hit them in the head with a rifle butt?

Sgt. SHARPS. They would hit them in the head, or any part that they could just hit. They hit them all over.

I know of one case of a man in charge who begged them not to kill the people and they did anyway.

Senator POTTER. Were you there at the time?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Then they moved you out of there when the Allied march got closer?

Sgt. SHARPS. Yes, sir.

Senator POTTER. What happened? Were you placed aboard a train?

Sgt. SHARPS. They placed us aboard a train.

Senator POTTER. And were you in the tunnel massacre?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Will you relate your own experience there?

Sgt. SHARPS. In a process of about five days, I don't know exactly how many days, but we left Pyongyang and we arrived at this Sunchon. The train was put inside of a tunnel to keep our planes from tearing it up. They told us that they were going to feed us, and they were going to take us out in groups of thirties or forties, take us to individual Korean homes and feed us.

We went outside and they took my particular group into a little ditch outside there and all of the fellows sat down and they had bowls with them and they thought they were going to eat. I heard a rifle bolt slide forward and I looked around and I jumped up and I was the first one to jump. They shot us and when they shot me, it spun me around and the people started to falling on top of me and I would say for twenty minutes they fired. When they had finished firing they came around with their rifle butts and checking the people to see if they were dead.

Senator POTTER. If they thought they weren't dead, they bayoneted them?

Sgt. SHARPS. Three of my ribs were broken.

Senator POTTER. With a rifle butt?

Sgt. SHARPS. Yes.

Senator POTTER. Where were you hit?

Sgt. SHARPS. In the arms and legs.

Senator POTTER. They had assumed that you were dead?

Sgt. SHARPS. Yes, sir.

Senator POTTER. Or they would have finished you off?

Sgt. SHARPS. Yes, sir.

Senator POTTER. What happened after that? How did you get away?

Sgt. SHARPS. After they left; after they had done.

Senator POTTER. Apparently they left pretty quickly after they did the killing.

Sgt. SHARPS. They did. It is my opinion they took a train and went further north; I don't know. But I crawled away and there were seven in the group of the thirty or forty that they didn't kill outright. I understand some of them died later but they didn't kill them outright. There were two of us that could move and we crawled away and we waited until the American forces came in and I weighed 165 pounds upon capture and I think that I weighed less than one hundred when they found me.

Senator POTTER. Sergeant, I want to say to you and to all of the others who have testified so far, that you certainly experienced treatment that is beyond the realm of civilized thinking.

If you have anything, as a result of your experience, that you would like to comment on concerning the Communist doctrines, please do so. Do you think the Communists in the United States are much different than the Communists elsewhere?

Sgt. SHARPS. They tried to teach us communism, and even the people that were masters at teaching it, they couldn't put it across. I don't think that there was any reason, any reason at all, why anybody should be a Communist.

I have my own opinion of them and it is not very good. I think anybody that is a Communist in a great country like we have is worse than what I had to fight.

Senator POTTER. Thank you.

We will call Mr. Milano.

STATEMENT OF WILLIAM L. MILANO

Senator POTTER. Will you identify yourself for the record?

Mr. MILANO. William L. Milano, 7056 Regal, Philadelphia, Pennsylvania.

Senator POTTER. When did you go to Korea?

Mr. MILANO. July 10th, with the 27th Infantry, 25th Division.

Senator POTTER. What were the circumstances under which you were captured?

Mr. MILANO. Well, on November 6th we got orders to go out on a patrol, I would say fifty miles southwest of Kaeson, and we were supposed to get in contact with them and find out their strength.

We left in the morning about six o'clock on November 6th, two platoons. About eleven o'clock we met these two South Korean policemen which they told us up to two days ago there was enemy around here. We dismounted our jeeps and the drivers followed behind us and we went on patrol; we walked.

Senator POTTER. What type of platoon were you with, a rifle platoon?

Mr. MILANO. Reconnaissance platoon, and we have one platoon from K Company and they were supporting us.

Senator POTTER. What was your duty and rank?

Mr. MILANO. A scout and driver.

Senator POTTER. All right, go ahead.

Mr. MILANO. We dismounted and there was a bridge where you could see they must have put a grenade to it and blow half of it away, and so we had to go under the gully and so we did, and we walked for about, I would say, half a mile, and the jeeps followed us—the whole convoy was about a mile—and we were separated and as we walked along on the left we saw three civilians with their hands tied behind their back. You could tell they were just shot because you could see it was fresh blood, maybe a couple of hours before that.

Senator POTTER. It was three South Korean civilians?

Mr. MILANO. Yes. So we went up, I would say a good mile, and still nothing. So our platoon leader told us to jump in the jeeps and it was like the first squad. There was a hill here and a hill there and we had to go around a bend. The mortars was about a mile in back of us and we were all spread out and so we jumped in the jeep.

Senator POTTER. It was Communist mortars?

Mr. MILANO. It was ours, it was in case we got into trouble. So we got in the jeep and we turned the bend and then they hit us, and they were right on top of us.

Back at the platoon of mortars, they could hit first, and they sucked us in a mile, and this major said there were about two thousand of them. This was during the push.

So we dismounted from the jeeps and we hit for the ditch. I would say they had us pinned down there for about three hours and you could hear them talking and they just had us cut right in with that machine gunfire.

About two o'clock they throw a Banzai attack, four or five hundred of them and they overrun us. They took thirteen prisoners and the ones who were wounded were left there and couldn't walk.

They marched us around a bend and as soon as we got around the bend they had some officers there and they told us to strip, so we did. They took our shoes and everything except our pair of fatigues. They got about four guards with burp guns and they told us—nobody could speak English then—to march and so we did. I figured we marched for a good hour and we marched about ten miles.

On the left there was a house and they took us in there and they had their medics there and we had some wounded and they put clean bandages on our wounded and they gave us a pair of North Korean shoes and North Korean jacket, and they gave us apples and they gave us cigarettes.

So I figured we stayed there for about half an hour. Then the guards, they could only motion because they couldn't speak English, and they motioned this way. It was like a dried-up gully there was a village and they took us down there. They lined us up outside and seven or eight officers came out.

Senator POTTER. That was in the little village?

Mr. MILANO. Yes, sir, and seven or eight officers came out and still the interpreter didn't come yet and so they took us inside a big hut, and they had guards all around us. So after a while a civilian came in and we had two officers with us at the time. The civilian told the officers that he was a North Korean officer and he would like to ask me a few questions.

Senator POTTER. He could speak English?

Mr. MILANO. Yes, good, too. All during the interrogation, he would say to the officer, "Are you hungry" and he must have said it seven times, and like he would skip around and he would say you shut up. Like he asked me "how old" was I, and I told him nineteen years old and he asked another guy what grade of school he was in. And one officer he would ask were any Chinese Communists in Korea yet?

Senator POTTER. One of those captured was an officer?

Mr. MILANO. He said he was. He asked another officer who was the greater man, Stalin or Truman.

Senator POTTER. I am trying to figure out this civilian who was acting as interpreter. Was he asking these questions of the prisoners, of you and other prisoners?

Mr. MILANO. Yes, and he was asking the officers.

Senator POTTER. Did you have officers?

Mr. MILANO. A platoon leader and an artillery officer. He was asking us such questions as where was your regiment, and how many tanks and how many men. They didn't tell them anything and that was going on for about an hour and a half, and I figure about seven times he said "Are you hungry?" The officer said "yes" and he said "We have nothing but rice" and the officer said that would be all right and so he said "I will bring you back in the morning, and we will question you again."

Before he took us out, this other officer that didn't speak English, he looked like he was in charge, and he told everybody to empty their pockets out which we did. We had our dog-tags still on and we took them off and laid them down. As we walked out of the hut, two guards walked with you and I was the last one out and I only had one guard and he walked out with me and so the North Korean interpreter said he would bring you back in the morning and question you again. He said he was going to take us to chow.

As we were walking along, he gave an order or something and so they started marching us and we went around the bend and there was a hill, and the North Koreans were standing there. About thirty of them. Most of them with burp guns and rifles.

Senator POWER. Were they North Korean military soldiers?

Mr. MILANO. Yes, from the North Korean green uniforms on and all.

However, the other officer must have given a command in Korean, for what he said I don't know, but, say I am facing this way, I heard a bolt go back and I went like this, and he fired and caught me in the right hand and threw me, and as it did I figured the blood hit me in the face, and he took another shot and he hit me underneath the leg and just took a piece of skin away and it was getting near night, like twilight, and you couldn't see too good. The third shot he took and hit me right behind the foot and I just felt the dirt and all.

Still, after the shooting was over, the officer must have said something and they started laughing. The guard I had come over and kicked me once, but never checked me, and he took the shoes I had on, the rubber shoes and he took them off. So they just laughed and they started walking away. So after they turned the bend I got up and I went and checked all the rest of the twelve

guys and they were all dead and I thought it was best to get out of there. So I went over a hillside, 150 yards, and down on the main road, and the North Koreans, I was seventy-five yards up on an angle and the North Koreans were walking there and I figured I had better hide for a while and I started losing a lot of blood and I was getting weak and I couldn't move.

Before that, though, they must have gone back and shot them again to make sure they were all dead right after I got away because I heard shooting right in back of the hill again.

Senator POTTER. Right where you had been shot the first place?

Mr. MILANO. I found myself, it was on a little hill about seventy-five yards, cornstalks and I got in the middle of them because I figured they couldn't see me and I got there. I woke up three days later; two civilians were waking me up and I looked up because all during these three days I was delirious and I was dreaming I had a cold glass of beer, and I looked up and you know I didn't know for sure and I didn't know how to speak Korean.

I said in Japanese, I asked them for some water and a cigarette and something to eat, and then I went back to sleep. I don't know how long after it was that they came and woke me up and they had shoes for me and bandages and water, and they had rice and some corn silk to smoke.

They were trying to tell me—I didn't know it at first—that the Americans were out in the main road, my own regiment was pushing there. They had come about fifty miles and I just wanted to get away from there. I couldn't walk because both of my feet froze, and my hand froze.

Senator POTTER. What time of the year was this?

Mr. MILANO. It was November 6th.

Senator POTTER. It was cold?

Mr. MILANO. Yes, it wasn't snowing yet. So I said, the guy must have been about fifty years old and I don't know if you have ever seen them, the way they carry their wood, and they picked me up there and just put me on his back and carried me to the main road. There was an American platoon setting up a roadblock and they called a jeep and took me right to the medics.

Senator POTTER. How far did this Korean have to carry you?

Mr. MILANO. I figure it was a good four miles.

Senator POTTER. You were the only one that survived?

Mr. MILANO. There was another kid, I heard, that they took out and he wasn't there when the interrogation was going on, and he was taken prisoner with me. They called him to drive one of our captured jeeps and when I heard from a buddy of mine, he said that they told him they would give him one hundred yards start, and he outrun them and Australians picked him up fifteen days later.

Senator POTTER. They were using him just for sport?

Mr. MILANO. Yes, but he outrun them.

Senator POTTER. Thank you kindly for coming down here, and giving us this story.

Do you have anything you would like to add of your own volition? You have seen the type of enemy first-hand.

There is no doubt in your mind that an officer gave the order?

Mr. MILANO. Yes. And I think the interpreter mostly there, the way he smiled, he knew they were going to take us out there as soon as we left the building. It wasn't four minutes later when they opened up.

Senator POTTER. So you think——

Mr. MILANO. They must have known I had escaped because when I was in the building they counted thirteen, and this major, I met him in San Antonio, Texas, and he was in charge of the 1st or 2nd Battalion and he said he took a company of men on patrol and he didn't know if the enemy was on patrol, and they found the bodies all buried, all unrecognizable. It said they buried them about three feet.

Mr. O'DONNELL. I think we can let the record show that the War Crimes Division did actually find twelve dead American PW's at the particular scene of this atrocity.

Senator POTTER. Thank you.

We will recess now until 1:30.

[Whereupon, at 11:50 a.m. a recess was taken until 1:30 p.m. the same day.]

AFTERNOON SESSION

[2:15 p.m.]

Senator POTTER. The hearing is reconvened.

I would like to call Sergeant Treffery.

TESTIMONY OF SGT. WENDELL TREFFERY

Senator POTTER. Sergeant Treffery, will you identify yourself for the record and give your name and the unit that you are attached to now?

Sgt. TREFFERY. My name is Sergeant Wendell Treffery, RA 115660, presently at Army Hospital, Walton, Massachusetts.

Senator POTTER. What is your home address?

Sgt. TREFFERY. Todd-Hollow Road, Terryville, Connecticut.

Senator POTTER. Sergeant, could you tell the committee when you went to Korea, and what unit you were assigned to?

Sgt. TREFFERY. October 1949 I volunteered for Far East command and the last part of November I started for Japan and landed in Japan Christmas Eve. I left San Francisco in December.

I was immediately sent to northern Japan, to Mikado, northern Japan. There I was a ski instructor for the first two months, first part of '50.

Senator POTTER. You were a skiing instructor?

Sgt. TREFFERY. Yes, and from the last of February of 1950 to May '50 I was in pharmacist school down in southern Japan.

I went back to northern Japan when the war broke out. That is where I was.

Senator POTTER. When did you go into Korea?

Sgt. TREFFERY. I landed with the Seventh Division, at Inchon.

Senator POTTER. What were the circumstances under which you were captured and what was your duty at the time?

Sgt. TREFFERY. I was medical aid man attached to Major Company, 31st Regiment, Seventh Division.

Senator POTTER. How were you captured, Sergeant?

Sgt. TREFFERY. Sir, on November 29, at six o'clock in the morning, the 1st Battalion of 31st Regiment was attached to the 1st Marine Division and we had driven up from Hamhung to 1st Marine Division CP, which was almost to the Chosen Reservoir. We were attached to them and kind of formed a company, battalion, to head for the reservoir to help the men out who were stuck up there, surrounded by the Chinese.

Senator POTTER. This is what time of the year?

Sgt. TREFFERY. November 29, sir, six o'clock in the morning. We pushed up on attack on the morning of the 29th, 1st Battalion, 31st Regiment when we went up through the valleys and the 1st Marines took the hills. We got up about four miles and the Marines came down out of the hills and we loaded on the trucks and headed for the Chosen Reservoir.

We got along about two miles, just getting dark, and a machine gun opened up on us from the right and one of the aircraft dropped a napalm on it and destroyed that. We continued about a mile and everything opened on us from both sides, front, and both sides.

We disembarked and took cover and started to fight. That fight lasted all night long, up until six o'clock in the morning. During the night our airplanes overhead dropped flares trying to spot us and trying to give us a helping hand, but they couldn't find us.

In our convoy several trucks had caught fire and lit our area up and we were sitting ducks for the Chinese. Six o'clock in the morning came and it is about 120 of us walking, most of us wounded, and there is about 350 to start with.

A marine major had answered a call of the Chinese interpreter from the army, and he hollered down for us to surrender. And because we had no chance, we were very out-numbered and the marine major talked it over with the other officers, of what was left, and decided it would be best if they gave us a good deal to surrender to them because we had no chance.

So the Chinese agreed with the marine major to turn all of the wounded back which we had quite a few of, to our lines if we would surrender to them. The major thought it was a good deal and so he surrendered us.

The Chinese moved in and before they moved in everybody had a chance to destroy their weapons and everything like that, valuable to them. The Chinese got us into two files to march us up to two cabins on the mountain. There we stayed until December 1. It was about seven o'clock in the morning, and we couldn't build any fires because the Chinese figured we would get spotted.

About six o'clock on the first of December 1950, they started us back the same way we came up, and past the convoy that had been ambushed the night before that, and to take us on the way to march us north. They backtracked us by a convoy and our wounded we had left there a couple of days before were frozen. It had snowed and this snow had covered the bodies.

Senator POTTER. They hadn't evacuated the wounded?

Sgt. TREFFERY. No, sir.

Senator POTTER. After they said they would?

Sgt. TREFFERY. Yes, sir.

Senator POTTER. You were captured by the Chinese?

Sgt. TREFFERY. Yes, sir.

Senator POTTER. When you were captured, did they leave you your clothing?

Sgt. TREFFERY. No, sir, they stripped us of our outer clothing, heavy clothing, and we had most of us to wear fatigues, and it was twenty-five to thirty below zero; it was pretty cold. We came down out of the cabins, by the convoy and as we went by, I found two rubber boots on the road, both for the left foot and I picked them up and put them on.

Senator POTTER. You didn't have shoes at the time?

Sgt. TREFFERY. No, sir, not at the time.

Senator POTTER. They had taken your shoes?

Sgt. TREFFERY. Yes, all of our heavy clothing, except fatigues. We marched the first night, we bunked down in some hay on some snow and we kept warm by huddling together. Then the next day they marched us mostly by night and it is only about fifty miles from where we were captured to the Yalu River and we marched eighteen days.

The second night they put us in some cow stalls, pig pens, about six or seven inches between the logs. They put us in there to sleep and that night I froze my feet and the third morning they let us out immediately to start marching again. So we marched and I kept on marching until about the 17th day, and all during that march, all of the skin came off and nothing but bones left on my feet.

But one time my mother told me, keep your chin up and things will get better, and so I never could see dying over there.

So I always kept going and I had to keep going, and put my mind to get going, and we got to Kanggye.

Senator POTTER. How far is that from the Yalu River?

Sgt. TREFFERY. The town is closer than sixty miles; it is pretty close to the Yalu River.

Senator POTTER. The Seventh Division was the farthest advanced of any division up there?

Sgt. TREFFERY. We got to the Yalu at one time. We got to Kanggye and during the march the men who were wounded, I had a medical aid kit but all of the bandages I had used except for three boxes of morphine and a lot of the wounded men, you couldn't administer morphine on account of head wounds and stomach wounds or any wound like that, you couldn't give them morphine. Morphine makes you weak and you might kill them.

I had three boxes of morphine left over and I had them under my belt. The Chinese never confiscated those because they never found them. On the march I used it on these guys who were wounded pretty bad in the legs and arms and the hip. So I used up all of my morphine on those wounded guys, but they never made the march. They were left behind and the men who were too weak to go, they just dropped out and you didn't dare look behind because you were afraid to get a bayonet in the back, and you would hear a shot about two minutes after they dropped out, but you didn't look behind to see what happened.

After arriving at Kanggye, very few of us were left, about a third of them didn't make it. After arriving in Kanggye, they were dying off one after the other, and the food was getting very small, a bowl of maize. And you gentlemen are probably familiar with maize, or

sorghum you call it in the Middle West. You grow it for cattle and pigs and they feed us a little bowl of that in the morning and a little bowl at night.

Senator POTTER. Was it hot?

Sgt. TREFFERY. Sometimes hot, sir, and sometimes we would get these sorghum balls of frozen ice. Above all we tried to get some water and we had to march, and you get awful thirsty and they wouldn't give you any water.

So we were walking down the road and there was a little water running down off the mountain frozen in the middle of the road, and I kind of kicked my heel into it and got a mouthful before they grabbed me. That kept up and we arrived in Kanggye and it wasn't too many of us left and after we once got there they were still dying off from malnutrition and some men had pneumonia. They kept us there until the first of January 1951.

Senator POTTER. How many started this march?

Sgt. TREFFERY. One hundred twenty.

Senator POTTER. How many finished it?

Sgt. TREFFERY. I would say about eighty. They kept us there until the first part of January 1951, and the Chinese came around one night, twelve o'clock, and said all sick and wounded were going to move to the hospital. We knew better than that. We figured they had one under the ground. There was some train tunnel. Everybody had to go and there was no other choice, and everybody crawled out to those ox sleds and they hauled us all night long and arrived in a little valley, just south of Kanggye, I would say about five miles south of Kanggye.

They kept us there until April 25, and during that time we were there, it was about eighty of us went there and after arriving in Kanggye there were other PW's there besides us and eighty of us went to this so-called hospital, and while we were there there was about fifty of us come out; about thirty died there.

Senator POTTER. Sergeant, would you hold up a minute?

Sgt. TREFFERY. All right.

[A short recess was taken.]

Senator POTTER. I am sorry, Sergeant. Can we proceed?

Sgt. TREFFERY. They took all of the sick and wounded to this valley and they kept us there until April 25, and during the time we were there, the first three days we were there they gave us medical attention, once every day, for the first three days, and they gave us half decent chow.

Senator POTTER. Were you billeted in buildings?

Sgt. TREFFERY. We were four in a building, a mud hut. I was in charge of the other three, like a squad leader. So they said "you must take care of these other three" and I couldn't even take care of myself. So I said, "Okay."

One of them had frozen feet like myself, and the other two there was nothing wrong with the other two. But by April, all of the other three had died off, one by one. For the first three days I was unconscious, and I was talking out of my head and talking crazy like. Every man died that I have seen before they die they start talking crazy, and when I came to, what made me come to I don't know, when I did come to the guys told me that I was accusing them of stealing my cigarettes and my food and I didn't have any

to steal. So I said don't pay any attention to me, I didn't know what I was talking about.

One died off and we didn't know what was wrong with him, and he was eating this little bowl of chowder, and as each meal would come along he would eat less and less, and I said you had better eat. It isn't fit for the pigs, but you must eat it. And he said "I can't do it," and one night he didn't eat hardly anything and he said "I can't eat it." I said "Did you say your prayers?" And he said "yes," and he went to sleep and when we woke up in the morning he was dead.

The next one he had frozen feet, a marine. I kept telling him to take care of your feet, and I had a comforter and we had one apiece, and I had a pair of fatigues which I ripped up and made bandages. Twice a day I could take a comforter to take care of my own feet and absorb the puss and blood coming out of my foot and use those fatigues I ripped up for bandages. Twice a day I would take the dirty cotton and throw it away and put on some new cotton and by spring I didn't have any cotton left in my blanket.

So he said "No," his blanket at the bottom was getting soggy, and I said you had better take care of your feet. That poison is going to backtrack up in your system and kill you, and he said "I can't take care of my feet," and I couldn't figure it out. So he died.

There was one other man left and he got malnutrition and he got beriberi and all kinds of diseases and about a week before they moved us, he died too and left me there all by myself.

So I asked this Korean woman, how about some water to drink, and I could speak a little, a few words and she told me to go out there to the spring water running out of the rice paddies, and the rice paddies, they use human manure in the rice paddies. I said "if I drink that it will surely kill me."

So as soon as spring came, I went out in the fields and dug up some dandelions and different kinds of greens and took them and got a steel pot and some chips out of the door guard, and I boiled those greens down and I ate the greens and drank the juice. I did that about a week and it really helped me out.

April 25 came around. Chinese came up with ox carts and I am getting a little ahead of myself here.

On January 15 this Korean woman came around and was supposed to be a nurse and she was about eighteen years old and she had a bag here and she had a big pair of shears and she had some newspapers stuffed in that little bag, and she asked me what was wrong with me. So I stuck my feet out from under the blanket and it was nothing but bones, and she told me to lay down on my back. So I did what she told me and so another guy came with her to assist her and sat on my chest and she started clipping off my toes with this big pair of shears, it looked like hedge shears.

Senator POTTER. Clipped off your toes with those shears?

Sgt. TREFFERY. Yes. She left two big toes on my feet, and I think I was making quite a bit of noise, after she did that.

Senator POTTER. There was no anesthetic?

Sgt. TREFFERY. No, and she took some dirty newspaper and she did that and it was bleeding, and put it over the nub, thin dirty newspaper, and tied it with a piece of string and I looked at her

and I cursed her in English up and down and she didn't understand me; a good thing.

After she left I tore that off and I took cotton out of my blanket. After she left, they never did come back. The two guys with me they died off and on April 25 the Chinese came and picked us up, and then I weighed seventy pounds. I found out after I got back, this camp here, camp number one, they brought us up there, on April 28 we arrived there. They took us up in a truck, it took us three days to get there.

After I arrived there, I saw a lot of my buddies, and I thought they had just died off and I never thought they existed anymore. It was like a reunion to see them again.

We got there and they put about fifteen of us in a room, about fifteen by fifteen, or fifteen or twenty of us in a room, and we were so snug together we didn't hardly breathe, and all of that winter I had been under the blanket for quite a few months and my legs up under me so far. By the time spring came, the muscles of my legs had drawn up and I couldn't straighten out my legs.

Senator POTTER. What was the name of the camp where they cut off your toes?

Sgt. TREFFERY. This didn't have a name, it was just a little valley about five miles south of Kanggye.

Senator POTTER. Were there many other prisoners?

Sgt. TREFFERY. Ninety of us sick and wounded. It was about thirty of them died and there were about fifty left.

Senator POTTER. Did you give the place any name? Was it known?

Sgt. TREFFERY. We called it "Massacre Valley," but the PW's came back, they had another valley they named that name, so you might get the two mixed up.

After arriving in Camp 1, April 28, 1951, a lot of my friends were there, and the Chinese said they were going to give us sick call. It was to dress our wounds. I still had two big toes on, nothing but bones. Then they waited about eight to ten days before they gave us sick call. They kept with excuses and didn't have the stuff to do it or something was wrong.

That second night after I was there they fed us dough balls. They were little balls of dough, strictly dough, and made out of rice flour. Some of the guys there ate thirty or forty of those; four of them died. Some went down to the creek behind camp and ate a lot of cold water and just swelled up; three or four or five of them died.

After that they started feeding us cracked corn, and just a little bit of rice, you could hardly notice it. From that corn a lot of guys got dysentery, and your insides would be so scratched up and bleeding, and infected, and myself, I got this dysentery.

So many of the guys, I would say at least ten or fifteen a day just laying around the ground, too weak to get up, and I was too weak to help them and you couldn't help anybody. They were so weak, a couple of days after they would be dead. About eight hundred died there in about four months time. One guy helped carry a fellow up on the hill and the next day he would go out.

Senator POTTER. What do you mean by carrying them on the top?

Sgt. TREFFERY. They planted them all on the top of a big hill, and they would bury them in a three-foot grave, and the first rain

storm would wash all of the dirt off and it would leave the body open to the air. Then the dogs would take over, and you see a lot of dogs up around there.

About the last of May I got dysentery pretty bad and I couldn't sleep in a house. Everybody had dysentery. I was sleeping in mud huts and they couldn't get out quick enough and the place would be an awful mess. So I decided one thing, I would go out in the air raid shelter and sleep, and my first sergeant and I slept out there. He and I were pretty sick and we had dysentery, and we slept out in the air raid shelter. It was a big hole and we would get out of bed at least, and then in the morning clean it up, and that is the best you could do.

So we slept out there until about the last of June. He was taken to the hospital and they threatened to take me to the hospital on account of my feet, those two big toe bones sticking out. So they took me up to the hospital after my first sergeant went up there on sick call. So I went up there about a week after he went up there and after I got there I made up my mind to see him and see how he was making out. So I got up there and it looks like a Japanese castle on the side of the mountain; alongside the castle they had stalls which looked like race horse stalls, and there were about like a small box.

There were two men in there, my first sergeant and another guy and they were both naked, and the last of June and July is pretty hot weather and the big green flies flying around there, and if you didn't have enough strength to brush them off, they would plant eggs and maggots would start. And my first sergeant and this other guy was lying naked on the floor and I opened the door and saw them both lying there and I said "What is the matter?" I said "put something over you, those blow flies are giving you the works," and he couldn't even talk to me he was too weak, both lying there.

While I was there I saw the maggots working on them, rectum, and the eyes and ears, and the maggots would start to come out of the eyes. I said, "My God, something has got to be done," and I went to the Chinese doctor, and I said "Can't you do something?" And he would say "later date, later date, later."

I said "They won't be here later," and you couldn't talk sense to them.

Eventually I heard that both of them died, and along with many, many more up to about 90 percent or 95 percent of the men up there died. Very few of them came out of the hospital, and so they threatened to take me up there. This Chinese doctor came in and he said you go hospital, and I said "for what?" He said "your feet" and he leaves the room for about five minutes, just long enough for me to break them off. And around the base of the bones it was decaying, around the base of the big toe bone; and all of our hair was along down to our shoulders, and the fingernails were long and dirty. So I took a long finger nail and punched it around the bone and I broke it off at the base.

Senator POTTER. You broke off your own big toe?

Sgt. TREFFERY. Yes, and I broke them off. As I gave them a big push to break off, they would break off and go across the floor. The Chinese doctor came in and he said "you go to hospital" and I said

“nothing doing, my feet were okay,” and he said “let me look.” And he took a look and I had the bones broke off, and he said “okay” and so he went outside the door and never bothered me. I figured if I went to the hospital I would never get out of it.

In July, after July 15, the peace talks started up in Panmunjom and things started to improve after the peace talks. The Chinese figured so many men had died, they couldn’t afford to let any more die because they would have nothing to turn back, and so they started feeding us a little better, and they started giving us pork once a week. You got a piece of pork about the size of a quarter, and you were lucky. The first piece of pork I wouldn’t swallow it; I chewed on it.

Things started to improve quite a bit after that.

In July, about the 28th, around the 20th, around the last part of July, all of the sergeants a way up in the northern camp, Chingson, they kept us all there until August of 1952, and we were all at Camp 4. It isn’t marked on the map.

Up until that time things started improving quite a bit and not too many men were dying like before. We had sick call quite regularly. In August of 1953 all of the sergeants were moved to Camp Fuller. I went along with the sergeants because I had made a promotion in October, the first part of November of 1950, and so my first sergeant notified me and I went along with the sergeants.

We went to Camp Fuller in August of 1952. When we got there the Chinese wouldn’t mark the camp. We asked them why and they said UN didn’t recognize it. I said “What did you move us here for, you are endangering our lives.” So they said they could bring us down there for more education, we weren’t educated enough, and they were moving us to a new university.

Senator POTTER. Had you, prior to this time at the other camp, been getting indoctrinations?

Sgt. TREFFERY. Yes, all of the time, sir.

On May Day, 1952, we almost had a revolution there among the POW’s, quite a revolution almost. They were supposed to put a play for us down on the square, and after they had made these Communist lectures to us, and in going down to the square they were going to make us carry the red flag for them. So, after everybody filled out to go down to the square, about two miles away, down the highway, they brought this red flag out to the men in front of the column, and so when everybody saw that red flag everybody scattered and then they called the regimental commander up and they were going to have quite a stink raised about it.

So the regimental commander said you men, students, fall out, you won’t have to carry the red flag. So we fell out, and we marched almost to the square, and out comes the red flag again and we couldn’t turn back. We were outside the compound. They gave it to one guy from Mulberry, Kansas and he took it over and stands it against a telephone pole.

The Communists said you must carry this and he said “I ain’t going to carry that” and so they didn’t force anything on us at that time and they started marching us to the square. Just when we got to the square we started singing God Bless America and they didn’t like that and we marched in the square singing and the Chinese

said "shut up, shut up" and nobody shut up; everybody would keep singing.

So we were going to have a little play. The GI's were putting on a little play just before the lectures and so this one British guy got up in front of us on this stage and he started telling us a little joke about the three soldiers going on to the Golden Gate and St. Peter was going to let them in and one GI went there and he said St. Peter said "Who are you" and the GI said I am from the United States and St. Peter said "All right."

And the Englishman came up and he said "Where are you from?" St. Peter said "Where are you from?" and he said I am from England, and St. Peter said "Enter."

And finally a representative from the Chinese Communist forces came up and St. Peter said "Where are you from?" And he said "I am from China" and he said, "Go back, go back, we can't cook Kemchun rice here for one."

They didn't like that, and they threw him off the stage and told him they were going to put him in jail.

So they went on with the lectures and everybody was really riled. They said bring so and so back and they said do you want to hear the rest of the play? And we said no, we want to go back, and they started in, and they were pulling their hair out.

So everybody started to get kind of hot under the collar and some guards jumped out with some burp guns and they started to open up on us and everybody figured we'd better stop, they had the gun then. We all figured we had better go back and so we went back and two days later the Chinese regimental commander saw the mistake he made and so he came up and tried to apologize to us, and nobody would listen to him.

And he told us about the facts; they always mixed up the facts.

This one day, after our bomber had bombed us because our camp wasn't marked, and it was October 13, our "Bed-check Charley" was quite familiar with us and he raided us one night and he bombed us because he didn't know. The Chinese cook was cooking in the Chinese kitchen for the Chinese troops, and a light came out and he swoops down and drops a few eggs on the kitchen, and drops some on us, too.

The Chinese didn't like that, so about a week later, two weeks later, the Chinese bring some dynamite around and planted them in these bomb craters. They dug the hole a little deeper and planted some dynamite in the holes. So they exploded the dynamite and while they are doing that, they are taking pictures.

Up until then they were always saying we make the facts, and we don't lie, and we tell you the truth and this certain day they really showed their true colors. Everybody was razzing them and it was getting under their skin.

Senator POTTER. What they were doing, they were taking dynamite and putting it in some of these craters and exploding them and taking pictures of it for propaganda purposes?

Sgt. TREFFERY. "Why is American imperialists bombing their own troops," that is what they said, because the Chinese didn't even tell the Americans where we were so that in the propaganda they had to put the dynamite in and blow the bomb craters out.

After that we always razzed them, you make the facts, we saw the facts. They would turn around because they knew we were getting under their skin. We stayed there until August of 1952 and they moved us to Camp 4.

Why they moved us there we had a pretty good idea because there was a camp of privates right next to us, and Communists liked to pick on the privates and they could use their education. They moved us out because we were telling the privates to lay off.

They moved us to Camp 4 and while we were there they really threw the work at us, very little sleep and very little chow. That lasted about a month or two.

Senator POTTER. What type of work did they have you do?

Sgt. TREFFERY. Wood details, I was in a crippled squad, and some guys were wounded and couldn't do any work, and they put us in that crippled squad. The other fellows had to build walls six feet high to keep the cold out, and it wasn't even sensible.

They fed us turnips, cabbage, and that stuff would be burned up. They kept us there until about Christmas of 1952. Then they gave us a pair of American-made socks which I found out later the Red Cross had sent in to us.

Senator POTTER. Did conditions get better?

Sgt. TREFFERY. As time went on they started improving a great deal.

Senator POTTER. Now I would like to ask you a little more about the type of propaganda that they used. Did they give you literature and require you to read certain literature?

Sgt. TREFFERY. Yes, sir, they gave us so-called New York *Daily Worker*, and San Francisco *Daily Worker*.

Senator POTTER. You got the *Daily Worker*?

Sgt. TREFFERY. Yes, and we got them about every two months. And it would take letters four months to come through.

Senator POTTER. Did you notice at any of the camps, did any civilians go into the camp to give lectures?

Sgt. TREFFERY. No, we saw Russians on many occasions, and I saw two Russian pilots after they were shot down, and I saw Russian ack-ack man go through our compound in the daytime.

Senator POTTER. What were they doing there?

Sgt. TREFFERY. Well, the ack-ack guns, and truckloads of Russians manning the ack-ack, and we would holler Russian at them and they would look around or wave a hand and there wasn't anything oriental to them, sir.

Senator POTTER. What type of questions would they ask? Did they interrogate you?

Sgt. TREFFERY. They interrogated me once, and I told them I was a medic and I knew nothing that they would want to know about pills or bed pans or anything like that, and they didn't bother me.

Senator POTTER. Did they ask you any questions about your home life?

Sgt. TREFFERY. Oh, yes, we had to write an autobiography, everybody had to write one, or go to the turnip hole, and that is like a jail; very cold.

I wrote an autobiography and they wanted to know if I volunteered for Korea, and I told them yes, and they wanted to know why and I said I like wars. They said you are a warmonger.

Then they furnished us with one handful of tobacco every seven days, and no paper. When we had to write this biography they furnished us with two paper sheets and we said we needed more than that, because we would tear it up and use it for cigarette paper. By the time they gave us six or seven sheets we would write one, and they would say what happened to the other paper, and we would say it was just a sample, just scratch paper.

Senator POTTER. You used the other paper for cigarette paper?

Sgt. TREFFERY. That is right.

Mr. O'DONNELL. While you were at Massacre Valley, Sergeant, what did they give you to eat?

Sgt. TREFFERY. Very small bowl of maize, once in the morning and once in the evening.

Mr. O'DONNELL. Did they ever give you any dog food?

Sgt. TREFFERY. Yes, I had dog one time.

Mr. O'DONNELL. What was Massacre Valley? Was that a collecting point for wounded prisoners, primarily?

Sgt. TREFFERY. No, we were the only ones that were there. It wasn't isolated cases, as I figure it.

Mr. O'DONNELL. Over and above the fact that your feet were frozen, at the time you were captured, were you wounded?

Sgt. TREFFERY. I had a shrapnel wound in my chest.

Mr. O'DONNELL. While you were at Camp 1, PW Camp 1, you say about eight hundred prisoners of our boys died there?

Sgt. TREFFERY. In about four-months time, yes, sir.

Mr. O'DONNELL. If they had received, I know that you are not a doctor, but if they had received proper food and medical attention, would they have died?

Sgt. TREFFERY. I would say about 99 percent of them would be alive.

Mr. O'DONNELL. Do you know anything about the prison confinement at PW Camp 1 and 4? If someone made a minor infraction or major infraction of the rules, what would happen to them?

Sgt. TREFFERY. They would be put in jail and once or twice a day they would be stood on one foot and slapped down by Koreans called in off the street.

Mr. O'DONNELL. Can you describe the jail facilities? What did it appear like?

Sgt. TREFFERY. I was never in jail, sir, but I had some buddies who were in jail.

Mr. O'DONNELL. What was it like?

Sgt. TREFFERY. They said in the daytime they would make them sit with their feet under them and their hands like this at attention all day, and you would be allowed to go on the latrine once a day early in the morning, and once or twice a day they would be stood on one foot and they would call civilians in off the street and they would be slapped.

Mr. O'DONNELL. Do you know whether any of the boys were operated on for an experimental purpose?

Sgt. TREFFERY. Yes, I know quite a few instances.

We call it monkey gland, and they cut you here, just right under your arm, a little slit, and they put some kind of a gland in there, and I forget what kind of gland. I think it is a gland out of a pig or chicken liver, and they put it in there and the Chinese say that

would give you better appetite and you couldn't eat in the first place and I don't know why a better appetite. It would make you more spry, and give you more pep, and make you stronger, and they should take some of that chicken liver.

Mr. O'DONNELL. Do you know what the real purpose was of these operations?

Sgt. TREFFERY. Strictly experimenting, that is all I could figure.

Senator POTTER. Was there any bad effect in any of the men?

Sgt. TREFFERY. Yes, I saw a lot of them festering up, and I know one guy one night took his shirt off and opened up his arm, it busted open, and it ran down his side and festered.

Mr. O'DONNELL. Did you observe or do you know of any of our wounded that were not killed and not buried, but were otherwise disposed of?

Sgt. TREFFERY. Yes, I got this one pretty first-hand, sir. About this one GI on the march and he stopped along the road to go to the latrine, and as he stopped there is a big cliff and as he was going to the latrine the Chinese guard came and gave him a kick and he went over the cliff. That is pretty well true.

Mr. O'DONNELL. Do you know if they ever did it to a group? Such as ten or thirteen or fourteen men?

Sgt. TREFFERY. At a time, no.

Senator POTTER. I don't care for any names, but while you were at Camp 1 did they use any American PW's to try to indoctrinate the rest of the men?

Sgt. TREFFERY. Oh, yes, sir. What they classify as squad leaders and platoon sergeants and they would get them to help them teach us songs and stuff like that.

Senator POTTER. They did that under duress, by force, or what?

Sgt. TREFFERY. I wouldn't say force, no.

Senator POTTER. You would say it was done under force or not?

Sgt. TREFFERY. No, I wouldn't say.

Senator POTTER. That there were a few?

Sgt. TREFFERY. They were told to do it and they did it.

Senator POTTER. We have heard a lot in the newspapers about the so-called few progressives.

Sgt. TREFFERY. Those are "boyces"; we had a triple A organization to our camp.

Senator POTTER. What is that?

Sgt. TREFFERY. Triple A organization, and those boys took care of those progressives.

Senator POTTER. How many American troops did we have in Camp 1?

Sgt. TREFFERY. At that time in thirty-one it was all mixed up, and we had 1st Company and 2nd Company and 3rd Company; and 2nd Company included the British, French, Turks, and along with 3rd Company. It was all mixed up.

Senator POTTER. Could you estimate the amount of Americans, would you say it was eleven hundred or one thousand?

Sgt. TREFFERY. I would say close to that, yes, sir, pretty close.

Senator POTTER. What would be the percentage of number of so-called progressives?

Sgt. TREFFERY. I would say one out of a hundred; very small minority.

Mr. O'DONNELL. You mentioned one instance, namely after our planes were bombing the camp because it was unidentified, that the Chinese would use this dynamite and build it up as a prop for propaganda purposes. Do you know of any other instances where they would take one or more of our PW's and use them for propaganda purposes? I am thinking in terms of taking them out and giving them good food and taking photographs of them eating.

Sgt. TREFFERY. One certain platoon in 7 Company, right next to our company, they were called the movie stars.

Senator POTTER. They were the ones used for propaganda purposes?

Sgt. TREFFERY. Yes, and the Chinese made a movie something like the *Steel Helmet*, and I saw it posted it on our theaters, this Korean wearing a steel helmet, and these guys went along with them and made this movie.

Senator POTTER. Have you ever seen this magazine, United Nations PW's in Korea?

Sgt. TREFFERY. No, sir, I never have.

Mr. O'DONNELL. Let me tell you what this is. This is a publication which was not put out by the United States, I assure you, but published by the Chinese Peoples Committee for World Peace, and it purports to show the excellent treatment that our PW's received when they were over there. Would you just take a glance at it?

Sgt. TREFFERY. Sure.

Senator POTTER. How would it be if we let you look this over for half an hour and we will have someone else come on, and after that you can come back?

Before you do go I have a couple of more questions I would like to ask.

In this prison Camp Number 1, did you see any evidence of the Chinese having any Communist facilities, or having any medical facilities available, and did they have any medics?

Sgt. TREFFERY. After the peace talks started up on July 10, they opened a so-called dispensary, and they had a hospital, but the hospital I wouldn't put my bugs in. In the dispensary, you go down there.

Senator POTTER. Is it hospital 1 where you were talking about your sergeant?

Sgt. TREFFERY. Yes, sir.

Senator POTTER. In other words, it wasn't a medical facility?

Sgt. TREFFERY. No, I wouldn't classify it as one. In this dispensary, it was nothing except for a little tape, and a few bandages, and a very small amount of medicine. If you got dysentery they gave you two small chocolate pills and if that didn't do it, it was too bad.

I took some of this sorghum crust and ate it and I figured salt will heal an external wound pretty quick and why wouldn't it heal an internal wound? I stole some of them and sucked them 3 or 4 times a day and within a week's time my dysentery was gone. I don't know whether it was due to the salt or not, but it was gone.

Senator POTTER. Sergeant, did you ever have any International Red Cross representatives?

Sgt. TREFFERY. No. They didn't allow Red Cross. They said they were spies for Americans. They wouldn't allow them in.

Senator POTTER. Would you care to answer what is your physical condition today, Sergeant?

Sgt. TREFFERY. My physical condition, sir, is pretty good. My mental condition is excellent.

Senator POTTER. You can tell that. You have now the both feet amputated?

Sgt. TREFFERY. Yes, sir. My left foot is still open, still getting medical attention on that one.

Senator POTTER. Sergeant, you have seen communism first hand, you spent a great deal of time——

Sgt. TREFFERY. I studied that every day I was over there.

Senator POTTER. Would you have any comments that you would like to make at this time?

Sgt. TREFFERY. Yes, sir; I have, I have quite a bit I would like to say. Every day I was over there I took notice how the people lived and how they operated. Believe me, it is rotten to the core. It is no good. The Korean forefathers built the towns, the streets, and the Chinese came in and they can't go down the street, the Koreans can't, they have to go around the mountain. When they leave the town, they have to have certain passes to know where they are going. They grow a crop in the springtime and harvest it in the fall and so much of that has to go to the commissar, whatever it is, we called it City Hall. Every day they would go into City Hall, take the bags of rice and so on, and I have a pretty good Korean friend who told me all of this, and he said they have to go in there and get permission to sell that, what they are going to sell it for, how much they are going to get, and what they are going to do with the money.

If it is of benefit to the government, go ahead and sell it, and take the money, as long as you benefit the government. But if that was in the United States, if it is my car, it would be yours, too. Everything is like that. Strictly it is out, no good. Myself, what I think of the Communists in the United States, I wish I had them under my thumb right here. If they don't like our way of life, send them to hell over to Korea, and let them eat rice for the next twenty years. Then if they like rice that good, let them stay over there, otherwise let them live the way we are living and like it.

It is a lot better than communism. It is a lot better.

Senator POTTER. I want to thank you, Sergeant, for telling us this experience. I know it has been probably an experience you would like to forget. But there are too many people in our own country that have forgotten it or also never knew it.

Sgt. TREFFERY. That is right.

Senator POTTER. I think it is well for them to know.

Sgt. TREFFERY. I would say the biggest majority of the people don't realize what communism is. But once you get a taste of it, they will wake up to it.

Senator POTTER. You fellows will perform a great service by letting them know how you care about communism. If you would like to go through that magazine and afterwards we can discuss and see if you recognize any of that.

Sgt. TREFFERY. All right, sir.

Senator POTTER. George Matta.

STATEMENT OF SGT. 1ST CLASS GEORGE J. MATTA

Senator POTTER. Sergeant, will you identify yourself for the record, give your name and your unit at the present time.

Sgt. MATTA. Master Sergeant George J. Matta, 1202 ASU, Boston Army Base, Boston, Massachusetts.

Senator POTTER. What is your home address?

Sgt. MATTA. 15 Grover Avenue, Brockton, Massachusetts.

Senator POTTER. Sergeant, would you tell the committee when you went to Korea and with what unit?

Sgt. MATTA. I went to Korea on August 17, 1950, with the Second Infantry Division, 38th Infantry, D Company. I went over as a supply sergeant.

Senator POTTER. And would you tell the committee the circumstances under which you were captured?

Sgt. MATTA. Yes, sir.

Senator POTTER. And your duties at the time.

Sgt. MATTA. It was around February 11 that our company or battalion got surrounded by the Chinese South of Wonju.

Senator POTTER. Do you have any idea where that is, Sergeant? Well, that is all right. Go ahead.

Sgt. MATTA. We were up in the front and when we got surrounded we abandoned most of our vehicles so we could make it out, we destroyed them, and we were making the march out. We made it out the night of February 11, about two o'clock when we actually got surrounded, and then we were fighting our way out. We fought about three miles out this pass. Then we assembled in this group, in this valley. We were getting shelled pretty heavily there so we decided to make it out the best we could. I went on a three quarter ton truck, one of our machine gun platoon trucks, and we were doing pretty good—we got out, I think it was about five hundred yards before we hit this bridge and they hit our three quarter ton. We jumped off to the side of the road and as we were firing across the road at the Chinese on the opposite hill we didn't see the others, about twenty Chinese, coming to our right. There was only four of us at the time. So they came and we finally realized that they were Chinese and they had us surrounded. We had to put our weapons down. We knew we couldn't fight it then. But at that time, if I thought I was going to go through what I did, I would have fought it out then instead of going through what I did. So they took us from there and brought us across the road up on this hill, and then they started bringing in more prisoners. There was about thirty of us at the time. They had us segregated on this hill there. We stayed there all that day. Then the next morning they brought us down the road and took us about two miles into some valley on to another hill. They kept us there three days on this hill. We didn't have no food or no water in them three days.

Senator POTTER. Was there a hut or something you were in?

Sgt. MATTA. No, sir; just out on the open hill.

Senator POTTER. What time of the year was this, Sergeant?

Sgt. MATTA. February 12.

Senator POTTER. It was pretty cold then?

Sgt. MATTA. Yes, sir.

Senator POTTER. Did they take any of your clothing away at that time?

Sgt. MATTA. Not at that time. They searched us and took most of our valuables and things but at that time our planes were giving them such trouble. I don't think they was worrying about taking our clothes. Then from there we marched one day through those hills and we stopped in this village.

They put us in these buildings, about fifty men in two buildings about ten by ten, rooms ten by ten. We had quite a few wounded men with us that we had been carrying along. After we laid the wounded men down, we was lucky if we could even stand. They wouldn't let us go outside because they were scared of our planes. Then we would march at night. I got captured February 12 and we marched from about February 12—we was out about eight days, I think, on the march, and me and three other fellows and this South Korean decided we was going to escape. So when we was marching out of this village and going along the bank, we jumped over and laid in the bushes there. We pulled our pants down as though we were going to defecate and we stayed there until the whole column passed us. When we thought it was safe we got up and started going out to the part where the road was, so we could go toward our lines instead of theirs.

On the way we run into a couple of Chinese and this North Korean. This South Korean with us spoke to them in Japanese, and in turn they thought he was bringing us to catch up with the other prisoners and they let us go. As we got on the road we went the opposite direction. We had about a five-mile pass to make through. We had to make it on the road because it was a steep valley and we didn't dare to get down there. So we decided we would go on the road. We was walking up the road and there were Chinese mule carts and trucks going by the same road we was walking on. We would be smoking cigarettes and every once in a while this Korean kid would speak to us in Japanese.

We was doing good. We was about fifty yards out of the pass when we got stopped by these two North Koreans. This Korean kid didn't have no papers or nothing to show them, so they brought us into this house and searched us and the Korean kid got talking with them. He was posing as an American Japanese. So he got talking with the guards and they told him that they had an alert out for two other American soldiers that escaped and got caught and then overpowered the guard and took a burp gun and pistol away and they escaped again.

Then they tied our hands behind us and marched us into this little town about ten miles away and put us in a cement dungeon. All there was was a cement block building about eight feet, eight square feet, and about five feet high. It was all cement and it had one steel door. They put us in there.

Senator POTTER. No light?

Sgt. MATTA. No light or nothing. There was a little square hole on the steel door about four inches in diameter. They put us in there and we couldn't go out. We did all we could to get air. We had to defecate and urinate in there. They wouldn't let us go out. We stayed in there three days. And in that three days we had what they call a bean ball. It is nothing but soybeans, half cooked, mixed with sorghum. They gave us one each about the size of a baseball.

About that time we were so hungry it actually tasted good. So from there they tied us up again. They had this wire around our hands.

Senator POTTER. Your hand was still tied while you were in there?

Sgt. MATTA. No, sir, they released us there. When we got out again they tied our hands behind us and then had a lead rope to the other one. At that time they caught the two men that escaped, that took the burp gun and pistol and put them in with us. Then they took the six of us and tied our hands up. I was in about the middle. One was pretty weak, he couldn't walk too much in front of me, and he would fall, and as he would fall the wires would cut into our hands. We must have marched like that for about two days. We got to this place they called the hospital. All it was was just about three or four buildings and they had our men, they had about a hundred men there altogether, and what it was was actually a place for the men to lay and die, because they wouldn't give them no medicine and the only food we had was like some kind of wheat. We would get that once a day in the morning. It was very watery and wasn't filling.

Senator POTTER. You were given no medical attention?

Sgt. MATTA. No, sir.

Senator POTTER. That was supposed to be the hospital?

Sgt. MATTA. That was supposed to have been the hospital. While I was there I still had a little strength, and the ones of us that did we took our underwear and made bandages for the wounded men. The maggots were starting to get into their wounds and everything and we cleaned them up the best we could. Then about three days after that they got fifty of us that was able to walk and they told us they were taking us to the rear where it would be safer. So we left there around March 20, I think it was, and we started to march back.

We were marching back towards Pyongyang. On the march each day we would have to stay in these buildings. They would put us in one room, about the thirty of us in one room. We couldn't go outside. If you started to go outside, most of them had dysentery and if they started to go outside the guards would stick their bayonets at them. We had to do the best we could.

The men that had dysentery we would put in one corner and let them go in one corner of the room.

Senator POTTER. Were these Chinese or Koreans?

Sgt. MATTA. Chinese. Then we marched. It was about the third day march out and we stopped at this village. For some reason we got hold of a big building. They kept us in there, a school house. We had plenty of room but it was so cold we huddled up together anyway. It was the only way to keep warm. Then we were marching out and we crossed this river and were going up a path. They sent the last four of us on the line back to get some chow, they said. We went back and it was hard to make them understand. We would tell them chop chop, and that they had sent us back. As we were coming back, they kept two there and me and this other kid started back for the line to catch up with the rest of the men.

Senator POTTER. Did you get the chow you went after?

Sgt. MATTA. No, sir. We started to catch up with the men and we heard three shots. We stopped because we thought they were

firing at us. Then we didn't see nobody around and we started up the path again. As we was going up we could see these three Chinese dragging something into the bushes there. We didn't think nothing of it then but as we got up there, and the guards didn't notice us and started walking, as we got up there we looked into the bushes and we was going back and all I could see was the heads and blood was coming out of their heads.

Senator POTTER. They were Americans?

Sgt. MATTA. Yes, sir. So we kept on going and we caught up with the column. There was this instructor they called Wong. He asked us where we was and we told him we went back to get the food and they didn't have no food. And he said did you see two men back there. I said no, what two men. He said the two men back there, and I said no. I said there were two men getting food. And I said did somebody escape? And he said no, that is all right, get up to the column.

When we got up to the column we asked the men what happened and they said there were these two men that couldn't make it, couldn't walk anymore, and they said they were going to put them in the house back there until they got better. That is the way of putting them in the house, to shoot them. It happened many times, for men to fall back and stay behind. We tried to carry them, as weak as we were, we would try to carry them but we would be lagging behind and they would tell us that they were going to leave them behind in a house. But as you would go on a thousand yards you would always hear shots. So we just about pictured what happened.

We was on the way to what is known as the bean camp, or the mining camp. It has two names, the bean camp or the mining camp.

Senator POTTER. Where is that located? Do you know?

Sgt. MATTA. South of Pyongyang, just before you got to Pyongyang. I would say about twenty miles.

We left with fifty men and when we got to the bean camp we had thirty-five men. Fifteen died on the way. We tried to remember most of the names but what we did is we would write their names on a paper or whatever we had. We got to the bean camp, around April 17, and when I was there I ran into a lot of my men from my company and they were pretty well down. What it was, I think, was old Japanese barracks they had before, with little rooms about six by six, and they would have about ten or fifteen men in them, and they were pretty sick. When we got there, they were dying, I would say, from an average of four to five a day. They would carry them up the hill and we would take them up there one day, and they would have little holes, I don't think over two feet deep, and we would ask them for tools to dig the holes deeper and they wouldn't do it. All we did was put the bodies there and I think the Koreans must have buried them because we would come the next time and the rain would have washed the dirt away and there would be nothing there but bones. We went back and we got on to them about it, about the people digging up the graves and taking the clothes. They tried to tell us it was the dogs that did it, that did the digging. They must have had pretty smart dogs that could dig the graves and take the clothes off the men.

So actually that is when I got my first taste of brainwashing. At that time we didn't call it anything.

Senator POTTER. That was at this bean camp?

Sgt. MATTA. Yes, sir. The only thing we would call it then to us was a bunch of bullshit. So they would tell us. This one instructor was up there and he was telling us how the Chinese and North Koreans are pushing Americans back, they were in Taeju and they were going to push them off Korea. This one F1 didn't care what they told them. He told them the only way you are going to get to Taeju is the way we got here, as prisoners. He didn't like that pretty well, and they didn't give him chow that night. But between us we seen that he had his chow.

What little there was, that is. At that time that is why they called it a bean camp. All we got was a bean ball about the size of a baseball, these soybeans, half cooked, and this sorghum.

I would say due to that 90 percent of our men died due to lack of food and proper medicine.

Senator POTTER. How long were you at this camp?

Sgt. MATTA. About seven days. We got there and we were there for about seven days.

Senator POTTER. Did they interrogate you there, or question you?

Sgt. MATTA. No, there they just give us them lectures and took our names. Then they moved us from there, about 760 of us altogether when we started. There was two groups. One left today and the other group left the day after. I left there April 24 with the first group, and we marched from April 24 until May 17, altogether. As we were marching, one or two men would die each day and men who couldn't march any more would fall along the side and we just had a picture to ourselves what happened to them.

Then I think it was about three days out they put us in these trains, boxcars is what it was, and they put about two hundred men in one boxcar. We couldn't sit down, we had to stand up, and we drove on them trains for about two days. We got, I think, to Sinandu. We got out of Sinandu and we started marching again. We was on a march every day except one day that it rained and we stayed in this place.

On May 17 we was going up this steep hill and I made one big hill with no trouble and then the second one I was going up and I rested half way up and this Chinese guard came up and hit me across my forehead before I even knew what happened. He didn't knock me out but he just about did. He stunned me.

Senator POTTER. Did he hit you with his fist?

Sgt. MATTA. No, the butt of his rifle. I was disgusted and ready and I said to hell with it, finish and kill me. My buddies grabbed me by the arm and they got me to the top of the hill. And then I went down, we went downhill, and I gradually got my strength back a little bit and then we hit what is known as Camp 1.

Senator POTTER. You said there were seven hundred and some?

Sgt. MATTA. Seven hundred and sixty.

Senator POTTER. And how many reached Camp 1?

Sgt. MATTA. Roughly I would say about fifty died on the march. But from May 17 I would say—well, I better go on and it will pick it up.

We reached Camp May 17. It was a little village. It is known as Camp 1 now. They put about twelve of us to a room. The rooms didn't have doors on them and half of the walls were caved in. When we reached there we were so tired we just dropped down and laid down. We didn't know, but we figured it was just another stop on the death march, as we called it. But one or two days passed and three days come, so we finally realized we were going to stay there.

We started on ourselves and it was the first time I had taken my clothes off since the time I used my underwear to help the wounded. I took my clothes off. At that time when I got captured I weighted 207 pounds, and I was pretty well built, fat. When I took my clothes off all the hair was off my body and I could practically see my ribs. I think I went from 207 down to 150 pounds in the space of that time. So I was pretty weak, mostly from the blow on the head I got from the guard.

We had so damn many lice on us that we started a lice killing campaign. The best way we could kill them was squash them with our fingernails. By the time you got finished and got half of them off, all of your fingernails were red. So it was kind of hard.

Actually it is bad to say, but most of the men were too damn weak and didn't have the strength. They wouldn't bother to clean the lice off of them so we made them sleep outside. Where we were there was this river. As cold as it was we went down there and tried to wash half way decent. We never had a piece of soap. We washed the best we could. We never shaved in that time, about four months we didn't shave.

Senator POTTER. You would have quite a beard, too?

Sgt. MATTA. Yes, sir. It was almost down here to my chest. We gradually got together and the ones that could get around and could do things gradually fixed up the houses and cleaned them up a little and washed what little clothes we had.

In all, that time, from May 17 to about August, I would say the middle of August, it started out like in May, we were burying from an average of six to seven men a day and at times it went as high as 12 men. Before we had a chance to give them a decent burial they were up the hill and they dug the holes sometimes, but when we dug the holes we dug them as deep as we could but they would always get on to us. I would say out of the 760, one day we just sat down trying to figure how many of us were left. I don't think there was a hundred men left out of that 760 that left the bean camp.

It is something that is hard to make people believe, but it is actually true. Actually, myself, I wouldn't believe it if I didn't see it myself. Few people realize what has happened.

Senator POTTER. While you were there did they try to indoctrinate you, to get you into communism? Did they give you a lot of Communist propaganda?

Sgt. MATTA. Yes, sir. Well, they didn't bother us about the first two weeks and then they had what they called classes. They would pick so many men out of the squad and they went up to the school house. That is when they started their communism. Then it started to pick up and they brought us out to the square. They would have this Chinese, that was supposed to have been a regimental com-

mander. He would get up and speak for an hour in Chinese, and the interpreter would interpret him and tell us what he said, and it was always the same old bologna about our warmongers and how we were duped in going over there, and things like that. Then I started getting very sick. I would have these spells and blood would come out of my nose and I would have terrific pain. They brought me up to the hospital. You couldn't actually call it a hospital. It had two buildings. One was like Treffery said, like a Japanese temple and the other was these four rooms which we nicknamed the dungeon. When I got up there I had dysentery and trouble with my head. The only reason I didn't get in the dungeon is I was lucky enough where I could get up and go to the toilet by myself. But any man who couldn't get up and go around, they would put him in the dungeon, where there was four rooms, they would put him in there and wait for him to die.

They wouldn't bring them their food, they wouldn't bring no medicine and we would go over to see what we could do for them and they would run us away. That is why we nicknamed it a dungeon, because they put them in there to die.

Senator POTTER. They put them in there to die?

Sgt. MATTA. Yes, sir.

Senator POTTER. Did you get medical treatment while you were there?

Sgt. MATTA. The only thing I got was charcoal. If I had a terrific headache I got charcoal. It was the only medicine they had at that time was charcoal. If you had dysentery you got charcoal, or if you had a headache you got charcoal. This doctor Wong, which we called the water doctor, would tell you to drink plenty of hot water. He wouldn't let us go there and I blame him for the deaths of all those men, because with just a little proper medicine and proper food them men would be alive today.

Senator POTTER. They would be alive today?

Sgt. MATTA. Yes, sir.

Mr. O'DONNELL. Sergeant, I would like to get into this with you for a moment, the filling out of various forms or peace petitions and being placed in jail for refusing to do so.

Could you go into that for us, please?

Sgt. MATTA. Well, what it was like this Treffery says, is they would get us out there and read off the petition, I think it was to go to the United Nations, a protest that we were supposed to sign. They got us all out there and we fell out on the road, and he explained it to us. He passed out paper and nobody would take the paper and nobody would do anything. He got kind of peeved. He said maybe you misunderstood me. Everybody that wants to write go to this side of the road and the ones that don't want to write go over here. So everybody got up and went on the other side of the road and they just about threatened us that if we didn't write them they were going to cut our food down and everything. We didn't write at that time. And there were many instances when they would call us up by ourselves. They called me up one day, the one we called Glasses.

Senator POTTER. Was he a military man or a civilian?

Sgt. MATTA. A Chinese military. He called me up to his room and they usually start out and ask you how you feel and this and that,

and hand you a cigarette or a piece of candy, and then you started with it. He wanted me to write my congressman about the atrocities that our side was doing, and about the holding up of the peace talks. So I told him no, I couldn't do that. He said why. I said the people voted him in and the people don't tell him what to do because they voted him in. I said I can't tell him what to do. He said well you have to write it. I said no, I ain't going to write it. So he got on to me and I wouldn't write it.

Then he told me about mail. He said are you getting mail from home? At that time I got one letter from my wife. He said you don't want to go home, do you? I said what do you mean? He said you are our prisoner, you are supposed to do what we tell you to do. So I said, you took me prisoner, but I don't do what you tell me. All I am supposed to do is give you my name, rank and serial number. He got kind of mad and he let me go back. It was that way.

It happened to quite a few. They would call them up and try to get them to write to their congressmen or the United Nations.

Senator POTTER. Did they ever punish any of them for not signing the petition or not doing what they wanted them to do?

Sgt. MATTA. Well, the only way that they punished us was as a whole. Like this time on that May first deal, when we wouldn't march with the flag, this Company 7 right next to us was getting this beef, a can of beef. They were getting one can for two men and in turn our side was getting one can for six men. In other words, you would just about get a taste.

Senator POTTER. Was this Company 7 a more cooperative company as far as that is concerned?

Sgt. MATTA. No, I would say it was a company that were mostly captured in the later part. Actually the Chinese were babying them, I guess, to try to get them to go along.

Senator POTTER. Keeping them fat for show purposes?

Sgt. MATTA. That is right. There were a few, I would not say there weren't any, but a few in there that didn't go along with them. The majority didn't. But they brought them up in October 1952, and they put them beside us. So we went to them and told them that they could keep the beef if they was that short of it. When we told them that 7 Company was getting two cans per man they wanted to know how we found out, and we would tell them the same old thing that a little birdie told us. They kept us segregated from 7 Company. They kept us pretty well segregated from there. At one time you do get a pass and go over there, they would let you go over there for about ten minutes and they would have a Chinese interpreter go with you.

In other words, you couldn't say what you wanted to say when you went over there. I would like to add on to that what you asked Treffery. Like on the movies, I used to get over to 7 Company to get around because I could sneak over there better. What it was is they took these men out of 7 Company, they dressed them in fatigues, our fatigues, and steel helmets and everything, and gave them M-1 rifles. I think they took them about ten miles out of camp, by this river, and they went up there and the first day most of the guys didn't know what was going on. They took them up there and got them up there and they had them posing with the M-1's, and a bunch of Chinese coming. They were making a movie

is what it was. So the second day, the men got wise when they found out what was going on and a half of them wouldn't go out to make the movie. They threatened them. The ones that went out, they got seven or eight loaves of bread about the size of one of our buns, and the men that didn't go out, they were given one bun and they were cut way down on their chow. That was the deal on that. They went out and made this movie. I mean, the Chinese Communist propaganda movie showing our men being overpowered by the Chinese.

And another thing on that movie that they made after the bombing, what they did, I don't think that Treffery got down in that end of town, but if you went down there was a building that was bombed before, I think, before we even got there. They molded it with straw and they had these two Negro boys—I don't know their names, I forgot them—they had them all painted with iodine and they set the building on fire and they had the Chinese carrying them out on their backs.

In other words, the Chinese soldiers were carrying them out on their backs and the movies were there taking pictures.

Senator POTTER. Where was that?

Sgt. MATTA. Right in our camp. They set fire to the straw. They would actually make it look as though it was the real thing. And another thing, like on their propaganda.

I was up at the hospital at the time. At that time this was in May 1952, when the peace talks were going pretty good, they had us up there and they had beds, they made platforms is all it was, to get us up off the floor, and we were there and it struck us funny when they came in and gave us two new decks of cards and told us to play cards. We sat down and started to play bridge, and some Korean girls starting coming around and placing big numbers on the walls, and policing the place up, and they brought us a white table cloth on the table. We were sitting there playing bridge and wondering what was happening, whether the Red Cross was coming or what. They were fixing the place up and we figured somebody was coming up there.

We were sitting down playing bridge there, and I noticed this cameraman coming in the door. Then it dawned on me what was happening. So I got up and this kid that was playing with me both got up, and went outside. Then they came in and these two other Chinese, the first time we had ever seen the nurses coming in with white uniforms, and arm bands, Red Cross arm bands, and a hat with a little red cross and it was the first time as prisoners we had ever seen them dressed like that.

Then they sat down, those two Chinese boys sat down, with a big white uniform and a big red band on their sleeves, and they were holding the cards and the cameraman taking the picture. The other two GI's, I don't know whether they were dumbfounded or what, but they stood there and let them take the picture.

In the meantime they got the nurse picking up one boy that was sick, showing her feeding him. They took all pictures like that. They had white sheets hanging up on the wall so it would look all white. Then the doctor came out and tried to get me to take a picture, guess because I had started to get a little more weight back and looked like one of the healthiest ones there. I wouldn't go in.

I told them no. I said if they did that every day and treated us like that every day, I would gladly, I would be one of the first to have my picture taken. But I said that is just propaganda, and what is going to happen when the cameraman goes. I said it would be the same old thing, and I didn't want my picture taken.

The next day they discharged me from the hospital.

Senator POTTER. This was a hospital scene, the picture they took?

Sgt. MATTA. That is right. They had everything, nurses all dressed up in white uniforms.

Senator POTTER. But prior to that time or after it took place, those conditions did not exist?

Sgt. MATTA. No. In fact, we just got tobacco the day before, and they come in with a big tray of tobacco and a tray of apples, nice apples. So they took pictures showing the trays of apples and tobacco and when a cameraman left, the apples and the tobacco went back, the boys didn't see any of it.

Senator POTTER. They took them away?

Sgt. MATTA. They took them away. They just had them for the pictures.

Senator POTTER. Do you have anything else, Sergeant, that you would care to add?

Sgt. MATTA. Well, a little on this experiment on that chicken liver. This has been the talk of what the Chinese were supposed to have told the men in camp, that that was a Russian experiment, that it was the first time they used it, that it was a Russian experiment. That got around camp pretty much.

Senator POTTER. As a Russian experiment?

Sgt. MATTA. Yes, a Russian doctor's experiment. And they were using it.

Senator POTTER. And it was supposed to make them feel better and have more strength?

Sgt. MATTA. That is right. At that time, if you didn't take them—I wasn't in the hospital at the time, but if the men didn't take it, they wouldn't give them no treatment or anything. So a lot of them just took it more or less thinking that they would get better treatment or that it would help them.

Senator POTTER. Sergeant, you have had an experience which you and the other men that have testified here have seen communism work at first hand. Do you have anything you would like to say along that line?

Sgt. MATTA. Yes. I am glad you asked me that, because I have come home and I made quite a lot of speeches, and many people don't actually realize what communism is, and how communism lives. Like you say, I have seen communism, I have seen how they live under communism, how the kids in the street don't have shoes or clothes, how they don't eat but about one meal a day, and how they are being treated and how communism lives.

To me communism is like a cancer; in fact, worse. That is why myself I want to see communism wiped out as badly as we want to see cancer cured.

Senator POTTER. What do you think of Americans in the United States who advocate the overthrow of our government to establish a Communist society here?

Sgt. MATTA. Well, if I had the power, my only way of answering that is I would take them, and let them go to a Communist country, let them live under communism, not this built up communism that they have toward peace and people's China, but let them live under real communism and see what communism is. And then if they like communism, okay, let them stay there. But me, on communism I would rather die than see communism in the states, because I can never forget my buddies on the hills. I have lost many good buddies there, and the worst part about it is that they died and they didn't have to. That was part of communism.

Senator POTTER. Human life is pretty cheap to them is it not?

Sgt. MATTA. Yes. They could have saved them boys with just a little proper medicine and food. It wasn't that they didn't have it. The peace talks have proved that. Before the peace talks we were getting nothing but cracked corn, soybeans, and no meat, and our living conditions were bad. And then July 8 come around, the first word that we got was that the peace talks were started. It was a funny coincidence but about three or four days after that in comes the pigs, we had pork and flour come in and we had steamed bread, and that from then on the men actually stopped dying, they didn't stop right off, but gradually what was left of us were getting better just from getting a little good food. Why I say it is good food is because it was better than we were getting. They stopped giving us this sorghum and started giving us rice. Then they used to tell us about the peace talks, about our side stalling the peace talks. Once in a while you would hear a few guys saying gee, I wish they would hurry up and get the peace talks over with. I used to tell them it don't bother me, if they said two years, five years or ten years, it is them peace talks that is keeping us alive today, and we haven't any bitches about the peace talks, no matter how long they take.

On our lectures, that is the main thing they would harp on, how our side was stalling the peace talks. We knew that was a bunch of baloney, and knew it was the peace talks that saved us.

We had all the confidence in our side and knew that we would eventually get what we fought for.

Another thing to add is that many people have asked me why did we fight over there, what did we gain. The only answer I got, like when they would say about all those boys dying and being wounded over there. We actually won a victory, because we went over there to do what we did. We went over there to stop the spread of communism. We didn't stop it fully, because the only way to stop communism is you have to wipe it out completely. That is my way of saying that we won something, and the boys did not die for nothing.

Senator POTTER. We went there to stop a Communist aggression, and we did.

Sgt. MATTA. That is right.

Senator POTTER. I think our American troops fought under the most difficult conditions that any American soldiers have been called upon to fight under. I think the stories that you fellows have told here and the history of the Korean War will go down in the annals of American history as the greatest heroism and courage on

the part of our men. I am mighty proud to be an American. Thank you, Sergeant.

Corporal Daniels?

STATEMENT OF CPL. WILLIE L. DANIELS

Senator POTTER. Corporal, will you give your name for the record and your present unit?

Cpl. DANIELS. Corporal Willie L. Daniels, RA 38136347, 6006 ASU Station Complement, Fort Lewis, Washington.

Senator POTTER. Corporal, would you give us your home address?

Cpl. DANIELS. 623-58th Street, Oakland, California.

Senator POTTER. Would you tell the committee when you went to Korea and with what unit you were assigned at the time?

Cpl. DANIELS. I landed in Korea August 16, 1950. I was assigned to the battery of the 508 Field Artillery Battalion, Second Division.

Senator POTTER. You were with an artillery battalion?

Cpl. DANIELS. Yes, sir.

Senator POTTER. Corporal, would you tell us the circumstances under which you were captured?

Cpl. DANIELS. Well, I was captured February 12, 1951. On the 11th we got attacked about twelve o'clock at night. We fought, tried to fight, but we couldn't do much good. We got CSMO and we tried to pull out. Most of the fire power was coming from our left front and left flank, and most of the men had these tractors, you know, and most of the men, you know, were on the side of the tractor, trying to shield themselves from the firepower.

But during that time one of the men pushed me, and at the same time another one of my men got shot and he caught on to me and pulled me down. So that separated me from the unit at the time. So I jumped and got in a ditch. I got there by myself for about fifteen minutes and then I looked up and saw some men, some men of my outfit, running across the field, and I cut over to them. We fought all night, fought our way to several others, until about nine o'clock the next morning. We was going forward and taking a hill, or one side of a hill, it was, and by the time we got up to the top, the Chinese on the other side had us surrounded. At the same time the Chinese from the rear just had us cornered off there.

Senator POTTER. How many in your group were captured?

Cpl. DANIELS. I think it must have been about forty of us.

Senator POTTER. After you were captured, what happened?

Cpl. DANIELS. Well, they took us in small groups.

Senator POTTER. Where were you captured?

Cpl. DANIELS. About twenty miles north of Wonju.

Senator POTTER. Of Wonju?

Cpl. DANIELS. Yes, sir. They put us in groups and took us on the side of the hills, under some trees.

Senator POTTER. Did they take your clothes away from you at that time?

Cpl. DANIELS. No, sir; not at that time, no.

Senator POTTER. Did they take your valuables? Did you have a watch on or anything?

Cpl. DANIELS. No, sir. A deck of cards was the only thing I had with me. But I was feeling bad at the time. They took us to a hill and left us all day in the cold and snow. At night about dusk they

marched us back about three miles in the woods. Some of our artillery was over there, and they let us stay there until about twelve o'clock. Our artillery was firing in, so they moved us back a little more. We stayed there until early morning and then they moved us back about two miles and put us in a building on top of a hill. It was about five hundred yards, I would say, where our position was the day before.

At the same time our air forces were coming in and destroying our equipment and all the time they was coming over and coming pretty close to us. Of course, they was out in the hills, and in holes and stuff like that, and we were out there on top of the hill in a little shack.

Senator POTTER. You had no cover, but they had holes?

Cpl. DANIELS. That is right. Every time a plane would come over, one of the men would shoot at it with a rifle, I guess to show them that they were there.

Senator POTTER. Then they would come back on and go over it?

Cpl. DANIELS. Yes. None of the men got wounded there or nothing, but later on that evening they started to march us back towards the bean camp, although it took us quite a while to get to the bean camp, I imagine about forty or fifty miles.

Senator POTTER. How long did it take you, would you say, to get back?

Cpl. DANIELS. From that day about the 14th of February, until about the 9th, I believe, of April.

Senator POTTER. There were still about forty of you?

Cpl. DANIELS. Well, some more joined.

Senator POTTER. Some more joined during the march?

Cpl. DANIELS. Yes, sir. Also some South Koreans, they joined.

Senator POTTER. During that march back, did any of your men die or were they killed?

Cpl. DANIELS. Yes, sir. A few died at that time. Some were wounded and didn't get no medical attention, and some had pneumonia. They died. They didn't get no medical attention either. A few before we reached bean camp died. But after we reached bean camp, seven men died from pneumonia, beriberi, frozen feet and dysentery.

Senator POTTER. How long were you at bean camp?

Cpl. DANIELS. Until the 24th of April.

Senator POTTER. That would be about how long?

Cpl. DANIELS. About two weeks.

Senator POTTER. About two weeks?

Cpl. DANIELS. Yes, sir.

Senator POTTER. Was your experience at the bean camp much the same as Sgt. Trefferey's?

Cpl. DANIELS. My experience at the bean camp? They had us all in rooms there and wouldn't allow us to go outdoors. We didn't have no heat. The only heat we had was what we tore off the house. We tore it off and put it in a bucket, a hot pot is what it is called, and we would make a fire right there.

During the time the sun would come out, we would go out and sun a little bit. They wouldn't allow us to stay out very much because the air force would come over.

Senator POTTER. Did they try to indoctrinate you at the bean camp at all?

Cpl. DANIELS. No, sir, not at bean camp.

Senator POTTER. Did they take your clothing away from you there?

Cpl. DANIELS. They took my shoes.

Senator POTTER. They took your shoes?

Cpl. DANIELS. Yes, sir. But they gave us some low quarter tennis shoes about two sizes too small. I couldn't wear them.

Senator POTTER. Shoes to the Communists must be quite a luxury.

Cpl. DANIELS. I imagine it was, sir. They had tennis shoes. I guess they were used to it.

Senator POTTER. When you left bean camp, how did you go?

Cpl. DANIELS. Walked. We started walking with twenty men in a squad.

Senator POTTER. Twenty men in the squad?

Cpl. DANIELS. Yes, sir. On the way to Camp 1 there was about three of us left about half way, I guess, by the time we got the train. There were three of us left out of twenty men. And then when we got to Camp 1 there was three of us left.

Senator POTTER. How many got in?

Cpl. DANIELS. Three.

Senator POTTER. And there were just three that were left?

Cpl. DANIELS. Three out of twenty, they put us in a ten-man squad, and three of us left out of a ten-man squad. That made about twenty-seven men died.

Senator POTTER. About twenty-seven men died?

Cpl. DANIELS. Out of thirty, yes, sir.

Senator POTTER. How long a trip was that?

Cpl. DANIELS. From the 24th of April to the 17th of May.

Senator POTTER. To the 17th of May?

Cpl. DANIELS. Yes, sir.

Senator POTTER. You were put in, I understand, boxcars.

Cpl. DANIELS. Yes, sir.

Senator POTTER. And what did these men die of?

Cpl. DANIELS. Dysentery and lack of food, malnutrition.

Senator POTTER. Did any of them die of carbon gas?

Cpl. DANIELS. I think there was two men died while we was in a tunnel.

Senator POTTER. They would put you in a tunnel to keep them away from air raids?

Cpl. DANIELS. Yes, sir. And they died.

Senator POTTER. And two men died because of carbon monoxide?

Cpl. DANIELS. I don't know what they died from, but they died.

Senator POTTER. They suffocated?

Cpl. DANIELS. Yes, sir.

Senator POTTER. Then you went to Camp 1?

Cpl. DANIELS. Yes, sir.

Senator POTTER. What took place there? You have heard the statements of Sergeant Treffery and Sgt. Matta. Do you have anything to add to it?

Cpl. DANIELS. Well, when we got to Camp 1 our food wasn't so very good, in fact it wasn't good at all. It was cracked corn, millet,

and some sorghum. Most of the men could not eat the food the way it was cooked. In fact, I couldn't hardly eat either, so I decided I would fry some of it, and see how it would taste. I didn't have no wood, but I found a piece of plank out there and taken it and burned it up and got a piece of tin and fried me some. One of the Chinese guards caught me at it and they put me in jail for three days. In fact, I was supposed to stay three days, but I stayed fourteen days.

Senator POTTER. You stayed fourteen days?

Cpl. DANIELS. Yes, sir.

Senator POTTER. And the reason they put you in was because you were trying to fry some of the rice or millet?

Cpl. DANIELS. The reason they put me in was for burning this plank, destroying Korean property, is what they said.

Senator POTTER. What were the conditions in the jail or the cell that you were in?

Cpl. DANIELS. Well, the conditions, it was a little room eight by eight, and my duties then was that I was on detail, as soon as I came off one detail I would go on to another. I was on the wood detail, ration details, brush details, broom details, barrel details, all day long, back and forth all day long like that.

At the time I got to Camp 1, I weighed about eighty pounds from 135, my original weight. I was weak, just like all the rest of the men was weak.

Senator POTTER. In this jail was there plenty of room to stand up? You weren't confined to any kneeling position or anything of that kind?

Cpl. DANIELS. No, sir. At night we would go to bed about the same as the others, but during the day we just worked all day long.

Senator POTTER. They worked you all day?

Cpl. DANIELS. Yes, sir.

Senator POTTER. And you were supposed to be in confinement there in your cell for three days and they kept you how long?

Cpl. DANIELS. Fourteen days.

Senator POTTER. While you were in Camp 1 did they then try to have any indoctrination courses?

Cpl. DANIELS. Yes, sir. In fact, the whole company had indoctrination. We had what they called a school, had classes, had lectures and stuff like that, lectures and classes.

Senator POTTER. Corporal, did they try to work with you to propagandize you on racial problems?

Cpl. DANIELS. Yes, sir.

Senator POTTER. Was this at Camp 1?

Cpl. DANIELS. Yes, sir.

Senator POTTER. I don't mean to be embarrassing at all, but if you don't mind I would be interested in hearing what the type of indoctrination was that they gave you along that line.

Cpl. DANIELS. Well, they would tell the Negro men that there was no use being depressed all your life, and "We also have been depressed. We want to help you out," and a whole lot of stuff, a whole lot of junk. I consider it a whole lot of junk. Some of them they would give them cigarettes sometimes. Some of them they would treat pretty nice and some others they don't. It just depends

on how the others talk to them, I imagine, whether they treat them all right or not.

Senator POTTER. I would like to say this, that from all the information that I have had, I am mighty proud, I will say it again, of all the American troops, and certainly mighty proud of all of them and that includes the Negro troops that were fighting in Korea. I do know that that was part of the program to put special emphasis on our Negro troops.

Cpl. DANIELS. Yes, sir.

Senator POTTER. We can proudly say that they handled themselves in an excellent manner. I think it is remarkable the very few that their propaganda had any effect on. The Negroes are certainly a credit to the army, a credit as Americans.

Cpl. DANIELS. Well, at Camp 1 we moved out of Camp 1 August 15, 1952, to Camp 5. At Camp 5 we had a big dinner waiting on us, and they segregated us there and put all the Negroes in the same company together with no Filipinos or British. When we got there I think we had eleven donuts, a big pot of beans, pork and lamb all mixed together, and they had some greens, some kind of greens, kenschu, some kind of picked greens, in fact they fix them up some kind of way and bury them for I don't know how long. They smell bad and taste about as bad as they smell. After what we had had, it was a good dinner, though.

Some of the Negroes on the 19th of June, they had taken a group of them, about twenty I think it was, and marched them off, taken them off and gave them a big dinner. They told me they gave them some wine, some candy, apples and auto, and saki, or whatever you call it, made them drunk, filled them up and made them drunk. They didn't do the whites that way.

Senator POTTER. This dinner was just for the Negro PW's, the Negro troops?

Cpl. DANIELS. Yes, sir.

Senator POTTER. They didn't have the white troops with them?

Cpl. DANIELS. No, sir; because the Chinese will say the Negroes are freed on the 19th of June, so they celebrate the day. They pick a bunch of Negroes, not all of them, about twenty of them, and take them out and march them down by headquarters and give them some wine, apples and candy, and feed them up like that.

Senator POTTER. Were there any speeches or anything at these dinners?

Cpl. DANIELS. I don't know, sir. I never was on one of them. I never was there.

Senator POTTER. The report that you got on this dinner, did they mention why they had it, why they gave it to them?

Cpl. DANIELS. They said they was celebrating the 19th of June. That is all. That is why I suppose it was. You know, sometimes Negroes have birthdays over there, and some cooperated with the Chinese a little bit, and they would have birthdays, and they would give them a cup of wine, cigarettes and stuff like that.

Senator POTTER. How long were you in Camp 1?

Cpl. DANIELS. I was in Camp 1 from May 17, 1951 to August 15, 1952.

Senator POTTER. And you were exchanged on Little Switch, is that right?

Cpl. DANIELS. Yes, sir.

Senator POTTER. How did that take place? Would you mind telling us about that?

Cpl. DANIELS. Well, sir, about two weeks before I was released or taken out of the company, the Chinese called me up and asked me—well, he talked a long time about different things, how do I like the Chinese people, what do I think about the Korean War and so forth, and he talked around. Well, I cussed them out because I didn't know what they was after, or what they was after. They finally come to point and asked me why I was so skinny around there, and I told them they hadn't given me anything to eat to keep me fat. I also told them that I was in the hospital during 1944, in World War II, in England. I was in the TB ward for about three weeks, I think it was, and I told them that. They taken me down and examined my heart or something. I don't know what they found. About three days later they called me up again and asked me how would I like to go home. I told them I have been wanting to go home since I have been over here, and I would like it very much, to go home.

So two or three days later I heard over a loud speaker that all sick and wounded was being repatriated, and I figured then they must have been trying to pick me out to go home. I was the last one out of the company, the last one. There was three of us to choose between, and some of the progressive guys said, "You don't have anything to worry about. I think maybe they will send you home."

But anyway we were on pins and needles, wondering who they were going to pick. One of the guys, he had a light duty slip ever since he had been a PW, and this other guy and I we were both skinny. So he told me I didn't have anything to worry about. So the morning that they released me from the company, they sent a runner down there or mail orderly, they came down and told me that the Chinese wanted to see me. I went up there and they told me he had orders from the battalion or regiment headquarters that would release me, and I had twenty minutes to get ready. I told him I could get ready pretty fast, I don't have but a blanket, and let's go. That is the way it come about.

Senator POTTER. Then how did they transport you down, by train?

Cpl. DANIELS. No, sir. About a mile, I guess, from the company to where all the PW's coming from different camps would meet. We walked down there, and we left there to go to Kaesong. We went in trucks.

Senator POTTER. While you waited to be released, did they talk to you about what you should say when you got back or anything of that kind?

Cpl. DANIELS. They said I should work for peace, and try to get the rest of the PW's back home, and try to get the people to cease fire in Korea, to stop the war in Korea.

Senator POTTER. Corporal, you have seen communism working and have experienced it as few men have, outside of those of you that have been through the war. Do you have anything you would like to say about communism as a way of life?

Cpl. DANIELS. Well, I don't like it. As far as I am concerned, there is no way of life there. It is a mighty poor life. The way they run things, and what the other men say, and each family over there, from what I have learned, each family owns a chicken or maybe a cow. If he lives in the house it belongs to the government, anything else he has belongs to the government, and when they plant their crops it belongs to the government, too. I would go on wood detail some time and see a patch down there and see the government down there measuring off whose was what, or something like that. I don't think anything should live like that.

If you don't have God on your side, if you don't believe in the Bible—that is one thing. In fact, everything is wrong with it. I don't like it no kind of way.

Senator POTTER. And when you have people in our country who adopt, as you say, a philosophy, an atheistic philosophy, where the human being, where you as an individual, loses identity to the so-called great cause of the state, which is the government, that doesn't make it very pleasant for a life for the individual?

Cpl. DANIELS. No, sir, it doesn't.

Senator POTTER. I wish to thank you kindly, Corporal. You will be on deck in the next couple of three days.

Sergeant Watters?

STATEMENT OF SGT. JOHN L. WATTERS, JR.

Sgt. WATTERS. Sergeant John L. Watters, Jr., sir; RA 6894755; Unit 701 ASU, Detachment at Fort Myers, Virginia; resident of Washington, D.C., sir.

Senator POTTER. There are a few of you native Washingtonians left. I am glad to see you.

Sergeant, you have been here and have heard some of the experiences of the other men. I am sure you are familiar with the purpose of the hearing.

Sgt. WATTERS. Yes, sir.

Senator POTTER. Feel free to discuss or bring in any factor which you think would be material to the hearing. First, Sergeant, would you tell us when you went to Korea and the unit that you were attached to?

Sgt. WATTERS. Well, I hit Korea August 16, 1950. I went to front-line duty about five days later, sir.

Senator POTTER. Who were you with?

Sgt. WATTERS. When I first went over, with Headquarters, First Battalion, 38th Infantry, Second Division, and later I was transferred to Able Company.

Senator POTTER. What was your assignment then?

Sgt. WATTERS. I was communications, sir, I was communications while I was in Headquarters. I went into Able Company as a communications man because the communications men had all gotten bumped off, sir.

Senator POTTER. Sergeant, would you briefly tell us the circumstances under which you were captured?

Sgt. WATTERS. Well, we had been fighting a day, all day long, and that night we pushed on toward our objective, and we had had a little sniper fire that day, and pushed to the objective that night.

Senator POTTER. What area was this, Sergeant?

Sgt. WATTERS. This was, I would say, approximately eighty miles northwest of Konarae.

There we were putting out our forward OP, and so on, and drew fire from the enemy. From there on the rest of the night we had pretty much of a fight. That morning we had orders to withdraw. We had already made two withdrawals. We finally got orders to make the final withdrawal back to our rendezvous area.

From there we started getting off the mountains, forming groups and platoons and getting off. We got off of the mountains about 4:30 that morning, just about thirty minutes before daybreak, and that is when I got wounded.

Senator POTTER. You were wounded by small arms fire?

Sgt. WATTERS. Yes, sir. I was ambushed by sniper fire with a burp gun.

Senator POTTER. What was the nature of your wounds?

Sgt. WATTERS. I was hit three times right there, once through the leg, once through the hip, and one through the belly.

Senator POTTER. And you were captured at that time?

Sgt. WATTERS. No, sir.

Senator POTTER. What happened after you were wounded?

Sgt. WATTERS. I was left there for being dead. About an hour later another Chinese came along and shot me again. Another one right through the hip. So I just laid like I was dead. I wasn't able to move very much at that time.

At this time the valley was pretty heavily laden with enemy troops, and I couldn't hardly make a move. Our airplanes were strafing and bombing all this area through here. So I managed, after about three hours of laying there, with troops sort of scattered out, I managed to crawl off about seventy-five yards into a corn fodder shock.

I crawled into a corn fodder shock and stayed there for about two days and nights, making attempts to get away. I had been through this same area a couple of days before, and we had seen enemy troops in the neighborhood, and they didn't fire on us. We figured they were waiting for the body of troops and the body of troops didn't show up.

We were just a small detachment at that time.

It was only about two and a half miles back to the battalion aid station. I figured I could make it back. When things quieted down, I went seventy-five or eighty yards and then blacked out. I tried that for two or three times, and then got back in the corn fodder shock and stayed another night, and about half a day.

Along about two o'clock in the afternoon I crawled back in the shock and thought I might as well give up and let them finish me off because I was going to die anyway.

My water in my canteen was frozen up, and I had such a fever and everything, that I was going to give up. I laid there for about an hour and a half or two hours, I suppose, until a couple of Chinese came along. One of them stuck a bayonet against my stomach and I said to myself, "Here I go."

While I was doing that, I got my coat and opened it up and showed him the blood on my stomach. He reached down and sort of covered me back up. They had then taken off. They said something or other to each other and had taken off. About two hours

later they came back. They had a bunch of warm rice soup in an old half a gourd and gave it to me. Then they took off and came back about dark with an old straw mat on a couple of sticks and picked me up and carried me to a village about half a mile from there.

There is where I met quite a few of my old buddies that were taken within the next three days from the time I was wounded.

Senator POTTER. How long were you in this village?

Sgt. WATTERS. We stayed in that village one day and night.

Senator POTTER. And then did they move you by vehicle?

Sgt. WATTERS. No, sir. We stayed there. I don't know. Our planes must have known that we were holding a bunch of us prisoners there because they hit all around them buildings. There was only one particular building there, and there were a lot of Chinese troops in and around there, but they didn't bother about flying in and around this building.

So the next night, just about dark, they pulled us out of there. There must have been about seventy-five of us, and about ten of us wounded, and others who couldn't walk. Our own boys carried us on stretchers, and they slung out guards along, and they carried us up the road. They carried us all that night and put us in shacks, all the wounded guys.

The rest of the guys I found out later had been taken on and had been kept on marching further north.

Senator POTTER. How long were you in the shacks?

Sgt. WATTERS. We were in the shacks for two days and nights. A big heavy snowfall came, and there was an old Korean guy, a couple of Chinese and a couple of Koreans that came in and picked us up and put us on bobsleds with corn fodder shocks on them, and they tied us on to the sleds, four of us.

They took us for maybe forty or forty-five miles north, and there they put us in an old shack that had been bombed out, and everything, and didn't have any doors on it.

In a matter of a week's time there was around twenty of us all together that they brought in from all over the neighborhood, all wounded guys.

Senator POTTER. During this time had they treated your wounds at all?

Sgt. WATTERS. No, sir.

Senator POTTER. Was your food about the same type of food as the others have mentioned?

Sgt. WATTERS. Well, no, sir. The only thing we had was cracked corn and barley, I would say, up to next June. That was all we had. And at this point, where I stayed, I stayed at this one area from December—I got there about the 5th or the 7th of December, and I stayed there until about March 5 or March 8.

Senator POTTER. From the 5th of December to March 8th?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Was your shack heated?

Sgt. WATTERS. No, sir.

Senator POTTER. That was during the winter?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Did you have all your clothes or had they taken some of your clothes?

Sgt. WATTERS. No, sir. They had taken my snow packs from me and had taken my M-3 overcoat.

Senator POTTER. Your snow packs were the overshoes, snow shoes?

Sgt. WATTERS. Yes, sir, real heavy shoes. We had only had those about three days. They had taken those off from me the first night. But I was fortunate, I had a pair of OD pants and OD shirt underneath, and a pair of fatigues on top of that, and then an overcoat and field jacket. They had taken my gloves, my overcoat and snow packs.

Senator POTTER. During this time, did they try to indoctrinate you at all or try to get you to sign any statements?

Sgt. WATTERS. Yes, sir. At first they asked me what company I was from. They knew what company I was from, but they asked me what my job was. I told them I was a rifleman. And then they kept on and kept on, and I told them that I was a telephone operator. They wanted to know what kind of telephone. I told them I didn't know anything about it, but that they had told me to operate it, and that is what I was doing.

In the meantime, they thought I was commissioned because I had on a fatigue blouse that had been a lieutenant's fatigue blouse. It had holes in the collar, and they thought I was an officer. They grilled me quite a bit for about five or six months, trying to get information out of me.

Senator POTTER. They thought you were an officer that had thrown away his bars?

Sgt. WATTERS. Yes, sir.

Senator POTTER. While you were at this one point, did anything happen? Did they beat you or anything?

Sgt. WATTERS. Well, at this one village every once in a while there would be somebody that would come in and take the thing away from us, and things like that, and they would kick us around if we didn't move out of the way fast enough for them.

For instance, one of the Chinese guards took a bayonet and run it through a guy's arm, who later died from it.

Senator POTTER. Did you say he later died from it?

Sgt. WATTERS. Yes, sir. He died one night in his sleep. Every once in a while the wound would start bleeding, and we would put a tourniquet on it.

He was already wounded in the feet and hand from hand grenades. He lost part of the heel on one of his feet and part of the muscle from the right calf of his leg.

The guard came in the door and asked him to move over. At the same time, he didn't move fast enough, and the guard took the bayonet and slashed him with it. When he did, he just keeled over, and he sort of kicked him on the rump. He came on inside and sort of kicked two or three others so he could get through. We were packed in this small place like sardines.

Senator POTTER. After you left there, where did you go?

Sgt. WATTERS. I left there in March, on March 4, and this was a pretty heavily concentrated area, right on top of an MSR, and our planes were strafing and bombing in through this area all the time. A couple of our boys were killed there, right in the same shack.

On March 4 I was hit. I had only been on my feet a week. I had been down all winter. I was too weak to try to get out and try to get away or anything. I still had intentions of getting up and trying to leave. All the rest had died off, and there were only three of us.

I got up and took off, and I managed to get about two miles away, and they picked me up. They asked me where I was from, and I didn't tell them. I finally told them I had been a prisoner for about two weeks. They took me to another prison camp with about thirty-some days' travel.

Senator POTTER. Was that Prison Camp No. 5?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Did you get there by marches?

Sgt. WATTERS. No, sir. I wasn't able to walk. They had two more American boys from one of the other divisions, and they were along. There was about four Chinese, and two of these Chinese were supposed to be officers, I think, and they were supposed to be going back to China on leave, or something or other. They were supposed to be escorting these prisoners back to camp.

I couldn't keep up pace with them, and so they managed to get an ox cart, or an old ox, or any way they could keep me along, and sometimes they would leave me as high as two and three days behind, and finally I would catch up with them.

Senator POTTER. Would they leave you alone or with the guard?

Sgt. WATTERS. Every once in a while they would leave me because I wouldn't walk faster, and things like that.

Senator POTTER. And you would be back there all alone?

Sgt. WATTERS. Yes, sir. Sometimes I would be back behind maybe a half mile all by myself. The guards would get mad and leave me all alone. I wasn't in any shape to go anywhere at the time.

Senator POTTER. What happened when you got to Camp No. 5?

Sgt. WATTERS. I got to Camp No. 5, and I was only there for a few days until we started our training at the university, as they called it.

Senator POTTER. That was called the university?

Sgt. WATTERS. The University Piktong.

Senator POTTER. What did your training consist of?

Sgt. WATTERS. The reading of literature and speeches, and so on, on communism.

Senator POTTER. Did they interview you at the university first, or what?

Sgt. WATTERS. Yes, sir.

Senator POTTER. What would they try to find out in the interview?

Sgt. WATTERS. Well, about my government and what I knew about communism, and different things like that, and about the unit, and about the weapons, and so on and so forth, what was being used, what tactics to use for this and that.

Senator POTTER. Did they try to get you to sign statements?

Sgt. WATTERS. Yes, sir.

Senator POTTER. What were some of the statements that they wanted you to sign?

Sgt. WATTERS. Well, about different types of equipment, and such as that. They asked me if I knew anything about the equipment,

and I told them no. But they still figured that I did, and I got hit over the head several times, and I got slapped up against the wall.

Senator POTTER. That was during the interrogations?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Were the interrogations carried on by military personnel or non-military personnel?

Sgt. WATTERS. Military personnel, sir, CBV; yes, sir.

Senator POTTER. Chinese?

Sgt. WATTERS. Yes, sir.

Senator POTTER. You said they slapped you around?

Sgt. WATTERS. Yes, sir.

Senator POTTER. If you did not answer the questions the way they wanted them answered, they slapped you around?

Sgt. WATTERS. Yes, sir.

Senator POTTER. What were some of the indoctrination courses or the lectures? What were they on? Were they much the same as those in Camp No. 1?

Sgt. WATTERS. Yes, sir, I imagine they were along the same line. It was about some of their Communist writers, and everything of Russia, and Czechoslovakia, and different countries, telling us about the different countries with communism and the benefits of it; how the countries benefitted by it, and so on and so forth, how much better it was than our government.

Then, of course, along at the same time, I believe we had some of the biggest arguments that we ever had. Did we like Chiang Kai-shek, and did Formosa belong to the Chinese or to who.

Senator POTTER. They questioned you about that, too?

Sgt. WATTERS. Yes, sir. In fact, that went along, I imagine, for about three or four months. Every once in a while they would bring the same question up.

Senator POTTER. Did they have the *Daily Worker* there for reading material?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Were the lectures conducted by military personnel or by non-military personnel?

Sgt. WATTERS. We had military personnel, sir. In fact, I believe we did have some non-military personnel at Camp 5 in the beginning as well as I remember, sir.

Senator POTTER. Did you ever see any Russian troops there?

Sgt. WATTERS. Well, I saw other troops, different from the Chinese and Korean forces. But I wouldn't know what race they were. Of course, we would ask the question, and they would tell us it was none of our business, and sometimes they would say they were Manchurian, inspecting camps or something of that type.

Senator POTTER. What was your food ration?

Sgt. WATTERS. Well, there wasn't much of a ration to it. I would say we would get an ordinary coffee cupful of cracked corn or barley twice a day.

Senator POTTER. Did they have a special confinement place for prisoners who broke some of the rules of the camp or small infractions of the rules?

Sgt. WATTERS. Yes, sir.

Senator POTTER. What did that consist of?

Sgt. WATTERS. Well, if you didn't go along with them on different things, argue it with them or something of that type, there would be the place we would call the hole or the dungeon, which was, I would say, maybe six feet deep and damp, with no blankets, no straw or anything in the bottom of it. They kept you there for two or three days at a time.

They also had rooms where they would lock them up, tie their hands behind them, tie their feet together, handcuff them, and so on.

Senator POTTER. Were you ever thrown in the hole?

Sgt. WATTERS. No, sir.

Senator POTTER. How long would they normally keep a man in the hole?

Sgt. WATTERS. Well, if he started going along with them, they would let him outside in a week. But if he didn't, they would keep him there for thirty or forty days.

Senator POTTER. Thirty or forty days?

Sgt. WATTERS. Yes, sir.

Senator POTTER. While you were in the prison camp, was there quite a bit of beating of the prisoners?

Sgt. WATTERS. Well, I only saw three or four incidents at Camp 5, and I only saw a couple at Camp 3, and a couple at Camp 4.

Senator POTTER. You were at Camp 5 first, is that correct?

Sgt. WATTERS. Yes, sir.

Senator POTTER. How long were you there?

Sgt. WATTERS. I was there for May, June, July, and I believe it was August that I left there.

Senator POTTER. I assume that was the camp where they sent them for the special training, and after they had received their training they sent them to another camp, is that true?

Sgt. WATTERS. What I understood later on, and they told us after we went to Camp 3, they were classified as reactionaries, we were classified as reactionaries, because we didn't go along with their literature.

Senator POTTER. In other words, you did not graduate from the university?

Sgt. WATTERS. We graduated without a diploma. In fact, they told us that. We asked them why we were sent up there, and why we had to build this and that, and carry wood, and everything else.

Senator POTTER. That was at Camp 3?

Sgt. WATTERS. Yes, sir, after we went to Camp 3. Then they told us, they said, "Well, when you learn the truth and go along, things will be much better."

Senator POTTER. I assume, then, that the treatment was much better at Camp 5 than at Camp 3?

Sgt. WATTERS. Well, it was after a little while, yes, sir.

Senator POTTER. How many men were at Camp 5 when you were there?

Sgt. WATTERS. Well, there was, I would say, around twenty-two or twenty-three hundred. That is when I went there, sir.

Senator POTTER. Were most of them Americans?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Most of them were Americans?

Sgt. WATTERS. Yes, sir.

Senator POTTER. How many died while at that camp, do you have any idea?

Sgt. WATTERS. Well, I would say there was around six or eight hundred, sir.

Senator POTTER. Six or eight hundred?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Did most of them die from malnutrition?

Sgt. WATTERS. Malnutrition and froze to death.

Senator POTTER. Did they have medical facilities there?

Sgt. WATTERS. No, sir.

Senator POTTER. Were there any Red Cross representatives there?

Sgt. WATTERS. No, sir. They didn't have nothing whatsoever there at that time. The only medical care we got there was we had one American doctor, a captain, who went around and gathered up bones and things like that and burned them and made potash out of them and gave it to us, the ones that had dysentery. A lot of boys died of dysentery and fever, pneumonia, and everything else.

Senator POTTER. The only medication he received was from the American doctor PW?

Sgt. WATTERS. Yes, sir. Well, they finally stopped him from coming around and giving treatment to the men on account that somebody said something or other that he had said. Anyhow, he was a rumormonger or spreader, and he was no good, so they chased him away from the compound, and we didn't see him any more after that.

Senator POTTER. Did they question while there concerning your home life, about your parents?

Sgt. WATTERS. Yes, sir, quite a bit.

Senator POTTER. Did they inquire about whether you owned an automobile, or anything of that kind?

Sgt. WATTERS. Yes, sir.

Senator POTTER. If you told them that your parents had an automobile, would they believe you?

Sgt. WATTERS. Yes, sir, they probably would believe you, but it would be best to tell them that you had nothing, that you were a peasant that lived off the lay of the land, and in that way they seemed to like the working person better.

Senator POTTER. If you owned an automobile, then you were a capitalist so far as they were concerned?

Sgt. WATTERS. Yes, sir, you were a capitalist.

Senator POTTER. All right. You were then transferred to Camp 3?

Sgt. WATTERS. Yes, sir.

Senator POTTER. And how long were you there?

Sgt. WATTERS. I was there for about one year, sir.

Senator POTTER. And where is Camp 3 located?

Sgt. WATTERS. That is a little out of Changsong, approximately, eighteen to twenty miles, sir, Changsong, proper.

Senator POTTER. How far is that from Camp 5?

Sgt. WATTERS. Well, it had taken us all night and a part of a day to go in a boat. I don't remember, but I think there were around 160 or 175 of us, and we were on two little boats.

Senator POTTER. You went up the river?

Sgt. WATTERS. Yes, sir.

Senator POTTER. And was Camp 3 under Chinese jurisdiction or Korean jurisdiction?

Sgt. WATTERS. It was under Chinese jurisdiction.

Senator POTTER. How did that differ from Camp 5? I understand you had more physical duties to perform there. Is that true?

Sgt. WATTERS. Yes, sir. They made us get out and build rock walls, and walks, and we had to build shacks, carry mud, carry logs, go to the mountains and carry logs in and such as that, sir.

Senator POTTER. Did the indoctrination courses still continue?

Sgt. WATTERS. Yes, sir. After we got there and got the camp built up, after three or four months, then they started back on their literature and everything.

Senator POTTER. Started giving you the works again?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Did that differ from the other indoctrination courses that you had?

Sgt. WATTERS. No, sir. It was practically the same thing. It was more or less of a review.

Senator POTTER. Did they give you assignments and books to read?

Sgt. WATTERS. Yes, sir. We had the classes broken down. We had them broken down like platoons and squads. The rooms were just about big enough for a squad. They would select one man to read the book to us and then we were supposed to make written copies, more or less a report on what we were talking about and everything.

After he reads it off, we would discuss it, and then we were supposed to make a report and turn it in.

Senator POTTER. Would there be guards there while he was reading it?

Sgt. WATTERS. No, sir. There were guards all around. We were pretty well covered. But every once in a while our Chinese platoon leaders, as we called them, or one of the Honshus, would come by and if he caught us with a book on the floor, sitting around batting the breeze, he would sneak up behind the door and he would come up and raise a lot of Cain, and would place the ringleaders into the hole and make them stand at attention.

Senator POTTER. Do you want to explain what you mean about standing at attention?

Sgt. WATTERS. They stand there and ask questions until they get the right answers out of them. Some of the guys would pass out.

Senator POTTER. How long have you seen some of them stand at attention?

Sgt. WATTERS. I have seen some of them stand at attention as high as four and five hours, after working all day, or something like that.

Senator POTTER. Did they have you write an autobiography of yourself?

Sgt. WATTERS. Yes, sir.

Senator POTTER. And did they ask you to change it afterwards or make any changes, or anything?

Sgt. WATTERS. No. I more or less used my own head in writing it up, sir.

Senator POTTER. Then you say you were in Camp 3 for about a year?

Sgt. WATTERS. Yes, sir.

Senator POTTER. And you were transferred then to Camp 4?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Where is Camp 4?

Sgt. WATTERS. Camp 4 was further north to Waewon.

Senator POTTER. How long were you there?

Sgt. WATTERS. I stayed there until April 16, 1953.

Senator POTTER. That would be about how long all together?

Sgt. WATTERS. We left Camp 3 in August. Wait a minute. We didn't go directly there. We went to another place where we stayed for eighteen days, which we called an eighteen-day camp. We figured everything was blowing over and the peace talks and everything were being settled, so they were shipping us all down because they were being pretty nice to us at that time. They loaded us into some trucks.

At this time we ran across quite a few of the 24th Division guys, which had been under the jurisdiction of the Koreans, and they segregated us.

Senator POTTER. They would not let you talk to the others?

Sgt. WATTERS. No, sir. They kept us segregated.

Senator POTTER. And they treated you pretty well at the eighteen-day camp, as you called it?

Sgt. WATTERS. For a few days, until some of the boys broke camp and went up to see some of the boys in the 24th Division. Then they tightened down on us and started beating up several of the guys and throwing them in holes, and so on. There were several of the guys left there when we left. I don't know whatever happened to them.

Senator POTTER. Were conditions in Camp 4 much the same as in Camp 5 and 3?

Sgt. WATTERS. No, sir. When we went to Camp 4 we had to move into a couple of old school houses that didn't have windows or anything else. One of the places had concrete floors and we had to sleep on the concrete floors for about four months. A lot of guys got rheumatism very badly out there from it, and they managed to get another wooden building for us to move into.

Then we started to shape it up, and they more or less made a recreation room out of the one with the concrete floor.

Senator POTTER. Was the food about the same in each camp?

Sgt. WATTERS. The food began to improve all along, sir.

Senator POTTER. Getting better?

Sgt. WATTERS. Yes, sir.

Senator POTTER. What about the treatment by the guards and the prison personnel?

Sgt. WATTERS. Well, the prison guards themselves, that is more or less to say the privates and so on, they never did have very much to say to us. You would have to do something out of the way before they would jump you. But it was always the senior instructors, the officers.

Senator POTTER. These instructors, were they the ones that would give you the speeches?

Sgt. WATTERS. Yes, sir.

Senator POTTER. In Camp 4, did you witness any meetings?

Sgt. WATTERS. Only two, sir. And that was while we were out on wood details, out in the mountains, about four miles out. We would do a little "Changey" with an old Korean, and if they would catch you they would knock you in the head with a rifle butt, or push you around, or something like that.

Senator POTTER. You were at Camp 4 when Little Switch took place, is that true?

Sgt. WATTERS. Yes, sir.

Senator POTTER. Can you relate to us briefly what transpired? Did you know how you happened to be selected?

Sgt. WATTERS. Well, about five or six mouths before, when news started coming in and everything, they called me to headquarters interrogating a couple of times. I had a hunch, and I started playing that hunch. In other words, using a little psychology on them.

Then, about four mouths later, things kept growing and looking better and everything. And the food was improving. So I just kept on playing along with them. They finally called me up and asked me about different things, how the Chinese treated me, and all this and that, and asked me if they had taken any property off of me, and this and that, and I told them no, they had been awful nice, and all of this and that. They said, "Well, that is good." In a few days they invited me up to the house, and I had a couple of drinks with them, with cigarettes and candy, and then, bang, they said, "Well, pack up. You are going home."

Senator POTTER. Were most of the men from Camp 4 that were selected for Little Switch, selected on that basis of the fellows getting smart?

Sgt. WATTERS. No, sir. Some of the fellows were in pretty bad shape.

Senator POTTER. Do you know whether they left any badly wounded prisoners there in Little Switch? Did they take all the wounded prisoners?

Sgt. WATTERS. No, sir, they did not, sir. There was a lot of the fellows back there that were worse than I was.

Mr. O'DONNELL. Sergeant, I notice you had a chance to glance through that propaganda pamphlet.

Sgt. WATTERS. Yes, sir.

Mr. O'DONNELL. Do you know if any of those photographs were taken at Camp 5?

Sgt. WATTERS. Yes, sir.

Mr. O'DONNELL. They were?

Sgt. WATTERS. Yes, sir.

Mr. O'DONNELL. Bob, I wonder if you can give that to the Sgt. so he could go into that. [Document handed witness.]

Briefly, of course, this pamphlet was put out by the Communists to attempt by various photographs to indicate that American PW's were receiving excellent treatment and were enjoying themselves. Sergeant, we would appreciate any comments you have on it and anything specific that you can bring to our attention.

Sgt. WATTERS. Yes, sir. Before I came up here, the major asked me if I would look through this. I just more or less glanced through it like that, and I had seen quite a bit of it. Of course, I will make

the statement I made a while ago, that I could tell where it came from. 90 percent isn't what it is cracked up to be.

Senator POTTER. Most of those pictured are posed pictures?

Sgt. WATTERS. Well, like the picture itself of Camp 5—I don't know, that was taken probably in the spring of the year when it was most beautiful around there.

Senator POTTER. Like some of our tourist ads?

Sgt. WATTERS. Yes. Somebody would look at that and say that would be a nice place for a home, a mansion, and anything else. Of course, the houses, as it looks in the picture, are nicely constructed and everything else. But they are nothing but mud shacks.

Senator POTTER. They are nothing but mud shacks?

Sgt. WATTERS. That is all they are sir. Of course, they had a couple of modern shacks which I haven't been able to locate here, which were blown right down to the ground by our own aircraft in January, I think of 1951. They had a candy factory and something else sitting back up on the hill.

Mr. O'DONNELL. Do you have any first-hand knowledge of any of those specific pictures in there, Sergeant?

Sgt. WATTERS. Well, yes, sir. You take the one on page six, of the colored fellow shaking hands with the Chinese as he finished up his journey on his way to the PW camp, and so on.

Mr. O'DONNELL. How would that come about?

Sgt. WATTERS. Maybe the guards treated him pretty nice on the way up, maybe giving him a cigarette or two, or something like that, every ten or twelve miles.

Mr. O'DONNELL. Would you say that each and every picture in there was to some extent planted by the Communists, setting it up?

Sgt. WATTERS. It has been planted for a reason, yes, sir. Of course, I have not studied all the pictures. But I can just pick out maybe a half dozen of them, and I can judge the rest to be the same way.

Senator POTTER. Before you are asked to testify in public session, we will give you an opportunity to go over some of those. You might mark some that you can comment on ahead of time. We will give you an opportunity to look that over prior to the time that you testify.

Sgt. WATTERS. Very well, sir.

Senator POTTER. Thank you, Sergeant. Do you have anything you would like to add on your own?

Sgt. WATTERS. No, sir, I don't think I have anything else to say.

Senator POTTER. All right. You will be notified as to the day you will appear.

Sergeant Mullins?

STATEMENT OF SGT. ORVILLE R. MULLINS

Sgt. MULLINS. Orville R. Mullins, 20-21 ASU, Army and Air Force Recruiting Station and Induction Station, Cincinnati, Ohio.

Senator POTTER. Will you give us your home address?

Sgt. MULLINS. My home address in 4419 DeCorcey Avenue, Covington, Kentucky.

Senator POTTER. You are pretty close to home.

Sgt. MULLINS. Yes, sir. I am in Covington on duty.

Senator POTTER. That is what we call good duty. Sergeant, can you tell us when you went to Korea and with what unit you were with at the time?

Sgt. MULLINS. I went to Korea, I left the States January 5, 1951, and joined the Second Infantry Division, the 38th Infantry Regiment of H Company, some time in the same month of January. I don't remember the exact date. I stayed with that until August 27, 1951, when I was captured. My army serial number is RA 43013189.

Senator POTTER. Do you care to briefly tell us how you were captured?

Sgt. MULLINS. We were behind the lines in a blocking position, over two companies of us. We were a good way back. We had been back there or we were only supposed to be back there for three days, and we had been back there ten days. We ran out of ammunition, and they cut us off. The ROK's were trying to take a hill, and they took it, and got run off, and pushed way back.

We were cut off, and they got us in a valley, they got on both sides of the valley, and behind us, and as we tried to get out they cut us down. Some made it and some didn't. I was hit with machine gun fire in the legs.

Senator POTTER. You were wounded at the time?

Sgt. MULLINS. Yes, sir.

Senator POTTER. Can you briefly tell us what transpired after you were captured and where they took you?

Sgt. MULLINS. Well, at first I played dead. They overrun us then. They started moving in on us, and they overrun us, and I took blood from my leg—I was bleeding badly—and run it on my face. When the first wave went through I had a bunch of equipment on me—I had been carrying a machine gun and had destroyed it, and I had a bunch of binoculars, and things like that on me—and I took and broke it all and threw everything I had in the river.

About that time they moved up just across the river with some more prisoners and stopped over there. I played dead for I don't know how long, maybe an hour. They moved on, and then I couldn't hardly walk. I crawled down and got across the little river and was going up to the road over there. I thought they had pulled out.

We were only about five hundred yards from our line, and I could see our tanks and machine guns firing into the area. There was a heavy artillery and mortar fire coming in. I had gotten to a house and was still bleeding badly. I had saved my first aid bandage kit, and I took it and got in the house, which had been bombed out, and I bandaged my leg.

I got a big stick, and I got up in the road, couldn't see anybody or hear anything, and it was raining pretty badly, and I started walking up the road on the stick, I couldn't walk fast, but I thought the boys up there saw me, or could see me through field glasses, and could tell I was an American. I don't guess they did.

I started around the bend, and about that time another GI was coming around the bend, and I stopped. About that time two guards captured him, and then they saw me. They took me and searched me, and saw I was pretty badly shot up, and I couldn't walk very good.

Artillery was coming in on top of us, so they got him to help me. We started back down the road, and they got scared of artillery, and they told him to run on and told me to follow him. Well, I got me another stick, and I went back toward our lines instead of following them.

I went up there to within about two hundred yards, and I had to go around into a cut. They had a road block up there, and there was a whole company of them, and I walked right into them before I noticed.

Senator POTTER. A company of Communists?

Sgt. MULLINS. North Koreans. The Sixth North Korean Division. I don't know what regiment. I stopped there then, and they made me lay down on the side of the road. My platoon leader and a bunch of them were there. I wasn't right where they were at the time. Artillery came in and hit right among a bunch of them and killed a bunch of them, where they had some wounded. They made us stay there until dark that night.

They moved the rest of them from around that little hill to where I was, and there was a bunch of them, and they stayed around there. I heard them over there firing into that gully. There was a lot of wounded over there. They started to move us out at dark. I thought I could play like I couldn't walk, and then I thought about them shooting, and I didn't know whether they were shooting the guys or not.

So I got up and started walking with them. There were twenty-six of us at the time, and all but eight were wounded.

Senator POTTER. All but eight were wounded?

Sgt. MULLINS. Yes, sir.

Senator POTTER. They took the wounded.

Sgt. MULLINS. They took one or two and gave them their heavy weapons and made them carry them up the hill, and took the rest of us and made them carry their wounded. They had some wounded there, and then they took off down the road with us. We went for about a mile and they had a hole dug on the hill, and they made us sit outside, and they sat inside and watched us, and artillery came in until the next morning, and we sat there like that.

Then we moved the next morning two or three more miles to headquarters, and we stayed there for two days, two days and one night, and move out the next night, going north in a group. We marched for four more days.

Senator POTTER. Had they taken any of your clothes or anything?

Sgt. MULLINS. They had taken most of the clothes from the rest of the guys. Mine was so bloody they didn't.

Senator POTTER. Yours were not attractive to them.

Sgt. MULLINS. They didn't want them. We got over to this other headquarters, and they kept us there. When we got there they gave us, all twenty-six of us, and a South Korean, I understand—no, two South Koreans joined us then—they gave all of us about half of a government liner full of rice to eat. We ate that, and then they took all the first three graders, six sergeants, over to interrogate us. They told us that they were going to turn us loose.

We stayed there for two or three days, and moved on out again one night.

Senator POTTER. In their interrogation, was that just on military interrogation or was it that they would interrogate you about your home?

Sgt. MULLINS. It was all upon my military information, such as strength.

We moved on over and went into this artillery outfit. We stayed there one night. That day they moved us up on the hill. We were wounded badly and they were letting us rest and they fed us again. They gave us some more. They gave us some horse meat cooked in some rice. The artillery killed one of their horses and we got some of that. The, artillery, our artillery got zeroed in on their artillery and knocked most of it out. They got scared and they started us out that night up the road, and we walked—I don't remember—eight, nine or ten days and nights. We got over to this place and they said we were not supposed to go there, so they bring us all the way back to the front.

Senator POTTER. They took you back again?

Sgt. MULLINS. Yes, sir. They stopped there and then they started back with us again. We went to Wonsan, and in every little town they had us march through them in the daytime.

Senator POTTER. Did they do that so the civilians would see a spectacle?

Sgt. MULLINS. They used to make fun of us. They would get us in a town in the evening. They would give us a big bowl of maize or something like that, and we sat down, and we didn't have any spoons or anything to wash with, and they would sit down around you, and you had to eat with your hands. Then the civilians would stand up around and watch you and make fun of you because you were hungry.

They took us to Wonsan and from Wonsan we marched back to Pyongyang to Hodong. That is about fourteen miles northwest, I think, of Pyongyang. That is an interrogation center.

By that time beriberi had set in, and my leg had swollen up to twice its size and I could hardly walk. They let us stay there for a day and a half, and they interrogated us some there. The next day we were going to move north again, and I couldn't walk. I couldn't step. So they put me in an ox cart and started moving me.

Well, we went that way for fifteen or twenty days, and some days I would have to walk, and some days I would be so bad I couldn't walk and they would put me on an ox cart.

Up to that time I only had had my leg washed off and a bandage put around it one time.

We got to what was a Korean prison camp in a big hollow, a big mining camp. By the time we got there we were all pretty sick and pretty weak, without anything to eat, and they said we were going to rest up there. Well, just before that they had pulled the 26th out.

We left Pyongyang with 162 men. And just before we got to this Korean prison camp they took the twenty-six that were with me out and took us to a school house and kept us four days. But they took the others on to this prison camp. They took us over there and they kept us, and the first two days they fed us two times a day and fed us good, and they were trying to get us to write articles, and questioned us about home and what we owned and everything.

Senator POTTER. That was their propaganda spot?

Sgt. MULLINS. They had a general there. He was wanting to pick out somebody to take to a peace camp that they had at that time. They had approximately seventy UN prisoners in there that did nothing but write articles and make radio broadcasts, propaganda broadcasts.

Senator POTTER. How many prisoners did you say?

Sgt. MULLINS. Approximately seventy. It was close to the Pyongyang prison camp where I went to, because we had went to it. We thought that was where we were supposed to go, and we got to talk to one that was an artillery officer, a captain who was in good shape. We talked to two or three of them.

They wouldn't let us talk anymore, and they moved us off. They moved us down the river and kept us that night. Then we started to move over to Pyongyang.

After we got to this one place where they interrogated us, then they kept twenty-six of us there, and took two of the boys from my group back to this peace camp.

Senator POTTER. They did take two of them?

Sgt. MULLINS. Two of them wrote a couple of articles and a couple of letters, so they took them back.

We went on, and we got over to this prison, and there was, I think they said, six hundred South Koreans there.

By the time we had started dying off, about four or five had died off from us. While we were there we lost about twenty men, just from malnutrition and too much walking and no medical care. They were going to move us out of there, and they had eight men in this one little room, and they wouldn't let us go in there. The men were too sick to even eat, and they had dysentery bad, and it stunk, and it was dirty in there. They wouldn't let anybody go in there, wouldn't let anybody go near there. They wouldn't feed them. One morning, the morning we left, they got them and carried all of them out, and they were all dead.

Senator POTTER. They were all dead?

Sgt. MULLINS. Yes. That evening, late that evening, about four or five o'clock, they got us all together, and we started north again. Everybody was sick then, and one or two would die every day or every night.

The first real bad thing that happened is when we were moving up this valley and we had a long way to go and had marched a long way that day. We got into this place and I was in this one room. There was this one tall, slim colored boy who was with us who did not have any shoes. A bunch of them had no shoes. His feet turned sore and he couldn't walk. They swelled up and he was sick.

Well, he had died, and so they dragged him on the ground for a mile and a-half or two miles, and they dragged him and pitched him into the room with us.

Senator POTTER. Was he dead then?

Sgt. MULLINS. He was still just barely breathing when they brought him in.

Senator POTTER. And they dragged him in?

Sgt. MULLINS. Just got him by the hands and dragged him in. We told them afterwards, when we found out he was dead, to let

us put him on the outside so we could have more room, to let us do something with him. They said no, he stayed there.

We got him and put him up on a thing they had in this room, laid him up there, and offered a prayer for him that night. The next morning they moved us out and they said the Koreans would bury him. I don't know what happened.

We went on up for a ways. We kept on this march until a day or two before we got to Camp No. 3. I was on an ox cart this time since I was pretty weak. This day we had stopped and we had eaten about twelve o'clock. We had not eaten since the day before, and they fed us about twelve o'clock. I had had a cigarette. The Korean had given me a cigarette.

These other two boys on the ox cart didn't have any clothes.

They were pretty bad off. They were alive then because I had given them part of this cigarette.

They put us on the ox cart and moved us out, and they were trying to stop us just before dark that night, but our ox cart broke down and we had stopped and got behind. There were four or five of us down there, and they had these two boys laying on them. We moved up and they had them stopped. This Korean officer, who was some kind of a lieutenant, he spoke a little English; he told us the boys were dead, that both of them had died.

Four Korean civilians came down and they went up on the hill and started digging a grave. They came down and started taking them off the cart. By the time we pulled around them I looked at those two boys, and one of them looked at me. He wasn't dead. I don't know whether the other one was or not. But he was almost dead.

So we went on around up there, and in about five minutes this officer and these four civilians, two or four, I have forgotten for sure, they came on up and I stayed in one of their houses that night. We stayed there that night, and I was with a sick group by that time.

The next day we started on out and we moved on out to a dam. We left about three o'clock by boat, and we got to Camp 3 about ten o'clock that night.

Senator POTTER. You went by boat?

Sgt. MULLINS. Yes, sir. They put us up by this dam. We went by boat because we couldn't hardly walk. This one, he was from one of the English satellite countries, he was the one, and we were waiting by this boat by the side of the dam. They never came and we couldn't go. They had a sack of rice there and they started everybody out to go back up around to some houses to stay, and they told this one guy, a Scotchman, to carry the rice and he couldn't carry it. He was too weak and it was too heavy.

They started beating him, trying to make him carry it. We went on by and they still had him back there, a bunch of the guards. Finally they came around with the rice and when they brought him in they were still beating him, knocking him down, and then he would get up. Finally he couldn't get up anymore, and they dragged him on around from where I was, and left him beside the road there.

I went over to check him, and he was dead then.

They put us in this house down there, and we stayed there all that night and the next day, and the next night and up until three o'clock that evening, and then we went to Camp 3. We got there about ten o'clock that night and were turned over to the Chinese.

Senator POTTER. All this march was by Koreans, North Koreans.

Sgt. MULLINS. North Koreans.

Senator POTTER. And then you were turned over to the Chinese at Camp No. 3?

Sgt. MULLINS. Yes, sir.

Senator POTTER. You heard the statement, I think, of Daniels and Matta, I believe, on Camp 3. How long were you at Camp No. 3?

Sgt. MULLINS. I got there sometime the first of December, and I was pretty sick, and my eyes swelled up and I couldn't see. My whole head was swelled up and my leg.

They took me to the hospital at Camp No. 3. While I was there they made an operation on my leg.

Senator POTTER. They did operate on your leg?

Sgt. MULLINS. About nine inches all the way to the bone. I found out later, they told me, the blood vein that comes down—they took one and put it on the other side of my leg.

Senator POTTER. Did they give you an anesthesia?

Sgt. MULLINS. No, nothing. I went out of my head after about three hours. It started early in the morning and I came to that night, and I don't remember. It got bad.

They sent me to Camp No. 5, to what we called the general hospital, the big hospital, and they cleaned it out and sewed it up.

Senator POTTER. They did fix it up at Camp No. 5?

Sgt. MULLINS. At the time they took me to Camp No. 5 I weighed about sixty-five pounds. I couldn't move and couldn't walk.

Senator POTTER. How long were you in Camp No. 3 before they sent you to 5?

Sgt. MULLINS. Maybe a month at that time. But I stayed in Camp No. 5 until January, and I returned to Camp No. 3.

Senator POTTER. Then you came back to 3?

Sgt. MULLINS. Yes, sir.

Senator POTTER. Apparently medical treatment was pretty good in Camp No. 5. They fixed up your leg, did they?

Sgt. MULLINS. Just sewed it up, sir. But some of the boys got out, a couple of guys I know pretty well got out and stole some stuff and I got to eat, and they got me back on my feet. They gave me some clothes there. Those are the first clothes I had. They gave me my clothes there. I had none at that time. They had taken them all away from me. They gave me some clothes and I got in pretty good shape there. I got back up to about a hundred. But then they sent me back to Camp No. 3.

Senator POTTER. When you got back to Camp No. 3 you were still too sick to work, were you not?

Sgt. MULLINS. I couldn't walk. I never could walk all the time. My leg was drawn up.

Senator POTTER. What did they do with you in Camp No. 3 after you got back?

Sgt. MULLINS. They threw me in the hole there and wanted me to tell some things and I wouldn't tell them. They kept me from January 15 until March 28.

Senator POTTER. In the hole?

Sgt. MULLINS. Yes.

Senator POTTER. What did they want you to tell them?

Sgt. MULLINS. They wanted me to draw some maps and things of bases and everything, to tell them where I lived and everything. And then they came in one morning and I still couldn't stand up even, my leg was drawn up. The doctor came down and saw me and asked me would I like to go to the company. I wouldn't sign anything. He said if I would sign that I would be a good boy and not get into trouble I could go to my company. I said I want to go but I can't walk. Somebody would have to come down and help me get up.

He went and took two poles and split them and made a pair of crutches out of them. They took me to the company, and I stayed back there nine days and was really doing good, getting in pretty good shape, and my leg was all swelled up with beriberi, and it busted again.

So they took me back to the hospital. I was in bad shape. It was rotten. They took scissors and hot water and cleaned all of that out of there, and stuffed it full of rags and left it like that. Every week they would come and take the rags out and put more in, and then they would take and wash the others and have them ready for the next time. My leg never did get well but I got so I could walk a little.

They sent me back to the company and I stayed there until August. In July we left for this other camp.

Senator POTTER. Camp No. 5?

Sgt. MULLINS. Camp No. 4. I made the move with Sgt. Watters.

Senator POTTER. And your stay at Camp No. 4 was the same as Sgt. Watters?

Sgt. MULLINS. I left there, and my leg got bad again, and they came and got me and they took me back to Pektong on March 24 of 1953. March 28 is when they really gave me some good medical attention; they gave me a spinal, washed it out all, and operated on me again.

Senator POTTER. That was during truce negotiations?

Sgt. MULLINS. Yes, sir. March 24 of this year. My leg never got well until after I was released.

In April, April 13, they came and read a letter where they had accepted, talked about peace, I mean about exchanging the sick and wounded. The next day they said they had not agreed on anything. On the 14th they read off where they had agreed, and when they got through reading he called off four names from the hospital. I was not with them.

Senator POTTER. You were not?

Sgt. MULLINS. And they told them, "Pack up. You are going." And they took them off then.

The next day they came up and called another bunch in the morning, three or four more, and they took them. That evening they came up and called me and another guy and took us, and we

went down to where they were collecting for this. From there we came home.

Senator POTTER. Did they leave other wounded prisoners in Camp 5 in Little Switch?

Sgt. MULLINS. Very much so. They had one room with four guys that weighed less than one hundred pounds. They couldn't even talk, set up or eat. They were sick with TB.

Senator POTTER. Well, Sergeant, since you have gone through this experience, do you think that communism is a form of government that would appeal to anybody?

Sgt. MULLINS. I don't see and never will see why anybody would talk for such a form of government. It is not a form of government; it is a form of dictatorship to me.

Senator POTTER. Thank you, Sergeant. We will let you know when you will appear in the public hearing. It will be Wednesday, Thursday or Friday.

Don Brown?

Will you identify yourself for the record, and give your name and address?

STATEMENT OF DONALD R. BROWN

Mr. BROWN. Donald R. Brown, 231 North Front Street, Reading, Pennsylvania.

Senator POTTER. What outfit were you with during the Korean conflict?

Mr. BROWN. I was with George Company, 23rd Regiment, 2nd Division.

Senator POTTER. Did you go into Korea with the 2nd Division?

Mr. BROWN. No, sir.

Senator POTTER. When did you go to Korea?

Mr. BROWN. I went to Korea at the end of December of 1950.

Senator POTTER. And when were you captured, Don?

Mr. BROWN. The 14th of February, 1951.

Senator POTTER. The 14th of February, 1951?

Mr. BROWN. Yes, sir.

Senator POTTER. Can you tell us the circumstances under which they broke your arm?

Mr. BROWN. Do you want me to start at the beginning when I first got hit?

Senator POTTER. Yes, sir. Give us briefly how you were captured.

Mr. BROWN. We were overrun, our position was overrun, and there were about thirty men who took a machine gun, threw a hand grenade in our hole, another fellow and myself, and we laid there and pretended we were dead because they were looking around for the ones that were alive and hitting them.

So I laid still and the other fellow laid still, we both laid still until the Chinese sat on his leg and he hollered because he had been hit in the leg. Then we both stood up.

They took us to the base of the hill, and there was a man there that spoke perfect English, and he told me that I was a prisoner of war and I would be treated as such. He told me to see the captain.

The captain put out his hand as though he wanted to shake hands with me.

Mr. O'DONNELL. Were you wounded at the time, Don?

Mr. BROWN. Yes, sir, I was. I had been wounded with a hand grenade.

Senator POTTER. Then they kept sending you back? What prison camp did you go to?

Mr. BROWN. I wasn't sent to a prison camp. I was told to go up a hill, and I started up this hill and some Chinese came down the other way. I pointed back and told them there was a captain there. I don't know if they understood me or not, but they started going down one way and I turned and went the other way. Instead of going over the hill I went down the other side and I stayed in a hole there. They found me.

I was hit in the leg and left arm with shrapnel. Those are the parts they started hitting me on, on the leg and the arm, with a rifle butt.

Senator POTTER. When they found you again, they beat you? Is that right?

Mr. BROWN. Yes, sir.

Senator POTTER. Is that when they broke your arm?

Mr. BROWN. They put me in a fox hole. Yes, sir. There was snow then. In February we had snow then, about twelve inches I suppose.

Senator POTTER. How did they beat you? Did they beat you with a rifle?

Mr. BROWN. With a rifle butt. Yes, sir.

Senator POTTER. Were you on the ground at the time?

Mr. BROWN. I was in a hole then. I put my hand up to protect my face. I got hit in the eye with shrapnel, and my eye started to shut. Then they hit me with a rifle butt and it shut more, it shut entirely. Then I put my arm up again and they hit it and broke it. I couldn't do anything then. I was standing there holding it, holding my arm, and after a while I had to urinate and I asked one if he would help me. He told me no. So I had to go, and I did, and it went into my boots. As a result, my feet froze.

After a while the American jets came in and started strafing. There was a mortar not too far from us. When the jets started strafing I got up and left.

The day before we had seen those colored parachutes that Flying Boxcars drop supplies in, so I figured that is where the Americans were.

I waited until that night. I stayed there, and the next morning when it started to get light I left and ran down the road and I came to the French troops.

Senator POTTER. You got back to the French troops?

Mr. BROWN. Yes, sir,

Senator POTTER. Thank you, Don.

We have a pretty full schedule. We will be holding hearings for three days now. I do not know whether we are going to be able to use all the men for the hearing or not. We did not know whether you were one we would be able to get to or not. I think probably we will not be using you in this set of hearings. We have your testimony here, and we may continue the hearings after the first of the year. If we do we will contact you.

Mr. BROWN. Compared to the other stories I heard, nothing happened to me.

Senator POTTER. Thank you very much.

We will now recess until 10:30 a.m. tomorrow morning, in room 318, Senate Office Building, at which time we will convene in open session.

[Whereupon, at 5:35 p.m., the hearing was recessed, to reconvene in public session, December 2, 1953, at 10:30 a.m. in the Caucus Room of the Senate Office Building.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—During the years following World War II, the FBI and military security had periodically investigated allegations of espionage at the Army Signal Corps laboratories at Fort Monmouth, New Jersey. On October 6, 1953, the army announced the suspension of several employees at the facility for security reasons. That number eventually grew to forty-two, including fifteen section chiefs. In its annual report for 1953, the subcommittee elaborated that “on the basis of reliable information received concerning the general subject of Communist infiltration and specific information relating to certain individuals, it became apparent that Communist attempts to infiltrate our Armed Forces and the defense effort, with a view to limiting their effectiveness, had not been completely checked. . . . A large portion of the staff was immediately assigned to this case. Realizing that through the use of their worldwide apparatus the Communists had already gained many of our atomic secrets, the staff's attention focused upon what might well be considered their next field of concentration—our defenses against attack. Since it was reported that Communists and their sympathizers and supporters were employed by the Army at the time of commencement of the investigation, this received immediate attention. Since radar is such an obvious and important part of our defense, particular emphasis was placed upon defense establishments charged with responsibility for research, development, and manufacture of radar.”]

With Senator McCarthy away on his honeymoon, and Democrats still boycotting the subcommittee, no senators participated in this “staff interrogatory,” whose format resembled a hearing. Following this session, Roy Cohn apprized the chairman of new developments in the investigation. Senator McCarthy then cut short his honeymoon and returned to New York to conduct formal hearings. He told reporters that Julius Rosenberg (who with his wife Ethel had been executed for espionage four months earlier) had organized a spy ring that stole radar secrets from the Army Signal Corps laboratories at Fort Monmouth, New Jersey, that the case had “all the earmarks of extremely dangerous espionage,” and that the spy ring at Fort Monmouth “may still be in operation.”

Of the forty-two civilian employees suspended, the army later reinstated all but two, although most chose not to return to their former jobs. None of the witnesses on October 8, Paul Siegel (1919–1995); Jerome Corwin (1919–1976); Allen J. Lovenstein (1922–1963); Edward J. Fister (1908–1995); William P. Goldberg; and Jerome Rothstein (1920–1998), testified in public session.]

THURSDAY, OCTOBER 8, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, N.Y.

The staff interrogatory was convened at 11 a.m., pursuant to call, in room 1401 of the Federal Building, Mr. G. David Schine, chief consultant, presiding.

Present: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Karl Baarslag, research director; Harold Rainville, administrative assistant to Senator Dirksen; Robert Jones, administrative assistant to Senator Potter; John Adams, counselor to the secretary of the army; and Julius N. Cahn, counsel to the Senate Foreign Relations Committee.

Mr. SCHINE. Will you state your name?

(2119)

STATEMENT OF PAUL SIEGEL

Mr. SIEGEL. Paul Siegel, S-i-e-g-e-l.

Mr. SCHINE. And your address?

Mr. SIEGEL. 46 Pinckney Road, Red Bank, New Jersey. That is spelled P-i-n-c-k-n-e-y.

Mr. SCHINE. You are currently employed at Fort Monmouth?

Mr. SIEGEL. Yes.

Mr. SCHINE. What is your position there?

Mr. SIEGEL. I am a technical writer at the Signal Corps Publications Agency.

Mr. SCHINE. Would you speak a little louder, please?

Mr. SIEGEL. I am a technical writer at the Signal Corps Publications Agency.

Mr. SCHINE. And what is your function as a technical writer?

Mr. SIEGEL. Well, I work on these technical manuals that the government puts out.

Mr. SCHINE. What do these manuals contain?

Mr. SIEGEL. Well, they contain information on insulation and the theory of repair and maintenance and so on, of electronic equipment.

Mr. SCHINE. Is this classified material?

Mr. SIEGEL. Well, some of it is; some of it isn't.

Mr. SCHINE. And this includes radar installations?

Mr. SIEGEL. Well, radar equipment. We don't have much to do with installations.

Mr. SCHINE. Radar equipment.

Mr. SIEGEL. Yes.

Mr. SCHINE. How long have you been doing this work for Fort Monmouth?

Mr. SIEGEL. I have been there since the end of 1950.

Mr. SCHINE. The end of 1950. And you have always been doing this particular job at Fort Monmouth?

Mr. SIEGEL. Yes. That was my position.

Mr. SCHINE. That was your position when you came to Fort Monmouth. And it hasn't changed?

Mr. SIEGEL. No.

Mr. SCHINE. How did you happen to go to Fort Monmouth?

Mr. SIEGEL. Well, they were advertising. At the time they were advertising for men. I had been to Japan. I was working as an instructor, a radar instructor, and I came back in the summer of 1950. I heard that there were openings at Fort Monmouth. I went over, and I got the job.

Mr. SCHINE. Who recommended you for the Fort Monmouth position when you applied?

Mr. SIEGEL. Recommended? Nobody recommended.

Mr. SCHINE. You didn't fill out any form where you had to state references?

Mr. SIEGEL. Oh, when you fill out a form, you put down the names of three people.

Mr. SCHINE. What were the names of these people?

Mr. SIEGEL. Let me think. I think I wrote down Joe Weinberg.

Mr. SCHINE. Would you spell the name, please?

Mr. SIEGEL. W-e-i-n-b-e-r-g. And Harry Rieback. That is R-i-e-b-a-c-k. I was trying to figure out who else I wrote down. I think the other one was Moses Plotkin. I think it was.

Mr. SCHINE. Would you spell his name, please?

Mr. SIEGEL. P-l-o-t-k-i-n.

Mr. SCHINE. Were any of these individuals employed at Monmouth at the time?

Mr. SIEGEL. No.

Mr. SCHINE. They were not. They are friends of yours?

Mr. SIEGEL. Yes.

Mr. SCHINE. You say you were a radar instructor in Japan. When did you go to Japan?

Mr. SIEGEL. In 1946.

Mr. SCHINE. In 1946. And for whom were you a radar instructor?

Mr. SIEGEL. For the air force.

Mr. SCHINE. For the air force? What was your position in the air force?

Mr. SIEGEL. Well, I was a radar instructor.

Mr. SCHINE. With what group were you?

Mr. SIEGEL. FEAF, I guess you call it. Far Eastern Air Forces.

Mr. SCHINE. And you went into the air force when?

Mr. SIEGEL. I went as a civilian.

Mr. SCHINE. Oh, you were a civilian radar instructor for the air force in Japan?

Mr. SIEGEL. Right.

Mr. SCHINE. How long?

Mr. SIEGEL. About four years, from 1946 until 1950.

Mr. SCHINE. And what did you do prior to 1946?

Mr. SIEGEL. Prior to 1946, I was at Western Electric.

Mr. SCHINE. What was your job with Western Electric?

Mr. SIEGEL. No, first I had another one. I hope you don't hold me to everything I say, because, you know, you forget things, especially dates.

Mr. COHN. Just do your best.

Mr. SIEGEL. I was thinking I was working with Kenyon Transformer Company.

Mr. SCHINE. Will you state the years you were employed with them, and your function?

Mr. SIEGEL. Let's see. It was 1946 I left. So it was '45 and '46. From the end of '45 until some time in '46 I was with Kenyon Transformer Company, and I was testing transformers, chokes, and stuff like that.

Mr. SCHINE. And prior to that where were you employed?

Mr. SIEGEL. Prior to that I think I was at Western Electric.

Mr. SCHINE. For how long? Will you state the years you were with Western Electric?

Mr. SIEGEL. With Western Electric, '44 and '45. I was a radar trouble shooter. I tested the radar equipment that came off the line.

Mr. SCHINE. And what did you do before that?

Mr. SIEGEL. Before that I was working at Fort Monmouth.

Mr. SCHINE. Will you state the years you worked at Fort Monmouth?

Mr. SIEGEL. That was '42-'43.

Mr. SCHINE. When you worked at Fort Monmouth in 1942 and 1943, what was your job at that time?

Mr. SIEGEL. I was a meteorologist.

Mr. SCHINE. And you were a civilian employee at that time also?

Mr. SIEGEL. A civilian.

Mr. SCHINE. And what did you do prior to that? What was your job prior to being a meteorologist at Fort Monmouth in those years?

Mr. SIEGEL. I was a typist. I was with the Supervisory Corps Inspector's Office.

Mr. SCHINE. Would you repeat that, please? I didn't get it.

Mr. SIEGEL. I was a typist, with the Supervisory Corps Inspector's Office. I think they had a little office in the Marine Basin Company in Brooklyn.

Mr. SCHINE. You worked for the navy at that time?

Mr. SIEGEL. That was the navy.

Mr. SCHINE. Yes. Will you state the years you worked for the navy, and the address of the office you worked for?

Mr. SIEGEL. Well, it was probably just before that. You see, all this I put on my application form. But I think it was two years before. That would make it '40, 1940 or '41, I suppose.

Mr. SCHINE. What college did you go to?

Mr. SIEGEL. City College.

Mr. SCHINE. City College. And what years did you attend City College?

Mr. SIEGEL. 1937, I guess, I started. 1937 until 1945. I went evening sessions mostly.

Mr. SCHINE. Were you employed during the years you were at City College?

Mr. SIEGEL. Yes.

Mr. SCHINE. Would you name the companies you were employed with, to the best of your ability?

Mr. SIEGEL. Well, I can't remember the names of the companies. At that time it was pretty difficult to get a job. I had a job as errand boy, messenger, stuff like that. I don't think I remember.

Mr. SCHINE. What courses did you take while you were at City College?

Mr. SIEGEL. Well, scientific courses. I went for a Bachelor of Science.

Mr. SCHINE. Yes. Would you name some of the courses that you took?

Mr. SIEGEL. Well, I had physics, chemistry, mathematics, electronics; psychology, I suppose; English.

Mr. COHN. There are several things I wanted to go over, here. Have you ever worked at Evans Laboratory?

Mr. SIEGEL. I think when I worked at Monmouth they called it "Laboratory." They called it something else.

Mr. COHN. But it was at Evans?

Mr. SIEGEL. It was located with what is called Watson now, and then they moved to Evans.

Mr. COHN. But in other words you were working at a laboratory which does the work that is now being done at Evans?

Mr. SIEGEL. That is right, but I was never at Evans's.

Mr. COHN. How long has Evans Laboratory been there?

Mr. SIEGEL. I really don't know.

Mr. COHN. Approximately?

Mr. SIEGEL. I really don't know when they were transferred. It was after I left, and before I came back.

Mr. COHN. What year would that be?

Mr. SIEGEL. I don't know.

Mr. COHN. Two years ago?

Mr. SIEGEL. It would just be a guess, because I really don't know. It couldn't be two years ago, because I am at my present job since 1950. It probably was done before that.

Mr. COHN. Prior to 1950?

Mr. SIEGEL. I would think so.

Mr. COHN. Now, let me ask you this, Mr. Siegel. Have any loyalty charges ever been preferred against you?

Mr. SIEGEL. Well, no loyalty charges have been preferred.

Mr. COHN. Or security?

Mr. SIEGEL. It all depends on what you mean. Some time ago, last year I suppose, I received an interrogatory, and they asked me to explain some items.

Mr. COHN. What items were they? Give us your best recollection.

Mr. SIEGEL. They asked me—I think there were three important ones. One was about the Abraham Lincoln Brigade. They said that I once contributed.

Mr. COHN. What else?

Mr. SIEGEL. The other charge was—I had lived in Vail Homes. I believe the government had subsidized it. At the time that I was working there, I lived at Vail Homes. And it seemed that some girl, Stein, I believe her name was, had circulated a petition asking that the homes shouldn't be made into quarters for families. So I had signed that petition. And they informed me that she was a Communist, and they asked me about her.

Mr. COHN. What else?

Mr. SIEGEL. The other item was that at Western Electric I was active in the CIO.

Mr. COHN. Well, they just didn't ask about the CIO. What union were you a member of?

Mr. SIEGEL. The United Electrical Workers.

Mr. COHN. Yes. You were a member of the United Electrical Workers Union. Is that right?

Mr. SIEGEL. That is right. And that later was thrown out because it was Communist.

Mr. COHN. The heads of the United Electrical Workers were James Matles and Julius Emspak and Fitzgerald; is that correct?

Mr. SIEGEL. I guess so.

Mr. COHN. What else?

Mr. SIEGEL. They asked me to explain that. I think those were the three major ones.

Mr. COHN. What else? Weren't there a couple of other things mentioned? Let me ask you this: Had you ever lived in New Jersey, prior to your going with Monmouth in '50?

Mr. SIEGEL. That was in New Jersey.

Mr. COHN. Did you ever sign a petition or any kind of a document extending greetings to the Communist party?

Mr. SIEGEL. No, all I remember signing when I received that interrogatory—a lot I just can't give from memory, but I seem to re-

member there was a petition circulated asking the government not to make dormitories—

Mr. COHN. Was this petition about which you were asked a petition in the course of which support was pledged to the Communist party?

Mr. SIEGEL. I am pretty sure there was nothing there about the Communist party.

Mr. COHN. Pardon me?

Mr. SIEGEL. If I had seen anything about the Communist party there, I wouldn't have signed it.

Mr. COHN. Now, let me ask you this. Did you ever contribute to the Abraham Lincoln Brigade?

Mr. SIEGEL. Well, as I said before, that was one of those things I just couldn't remember.

I remember—I was a young kid at the time—I used to get literature. And I don't recall the name was the Abraham Lincoln Bridge. All I remember was somebody asking for money for some cause. They claimed it was for democracy. They claimed they were fighting for democracy. And at that time I didn't know any better. So I must have sent them a dollar or so.

Mr. COHN. How much did you send them?

Mr. SIEGEL. I really don't remember, but it was probably about a dollar.

Mr. COHN. Now, were you ever a member of the United Electrical Workers?

Mr. SIEGEL. Yes, I was a member.

Mr. COHN. You were a member of that. Did you know when you were a member of the United Electrical Workers that it was a Communist-dominated union? Hadn't you heard that?

Mr. SIEGEL. No. At that time I didn't think it was Communist-dominated. I knew there were Communists in there. I mean, Communists managed to get into all the unions.

Mr. SCHINE. Will you name the Communists you knew were in the union?

Mr. SIEGEL. Well, it is pretty hard to say who was a Communist and who wasn't. You know that is a very difficult question.

Mr. SCHINE. You just said you knew there were Communist in there.

Mr. SIEGEL. I knew there were Communists in there, just like you know that there are Communists in all the unions. That is the point I was trying to make.

Mr. SCHINE. Will you name some of them that you knew were Communists?

Mr. SIEGEL. Well, I really couldn't say if I knew any were Communists. Perhaps there might be some I thought were Communists. But I wouldn't accuse anybody, because I have no way of knowing. I mean, you have no way of knowing. And at that time, I wasn't aware of the danger of communism. Most people weren't. Isn't that right?

Mr. COHN. When was the last time you had any connection with the United Electrical Workers Union?

Mr. SIEGEL. Well, when I left Western Electric.

Mr. COHN. When was that? In what year?

Mr. SIEGEL. I said it just a minute ago. Let's see. '44-'45; it would be '45.

Mr. COHN. When you were in Western Electric, did you have access to any classified information?

Mr. SIEGEL. Well, I was working on radar equipment.

Mr. COHN. That was classified?

Mr. SIEGEL. Yes.

Mr. COHN. How about this petition you signed for this woman named Stein? Did you know her?

Mr. SCHINE. Steiner.

Mr. COHN. Steiner. Do you know her first name?

Mr. SIEGEL. Only from this interrogatory. It hit me when I saw it, because it just didn't strike any note. Ever since then I have been trying to think who Vera Stein was, and I can't place it.

Mr. COHN. Do you remember the name of the woman who asked you to sign the petition?

Mr. SIEGEL. No.

Mr. COHN. Do you remember signing the petition?

Mr. SIEGEL. I think I signed the petition.

Mr. COHN. And you did not know the person who asked you to sign was a functionary of the Communist party?

Mr. SIEGEL. No, I had no idea.

Mr. COHN. Now, while you were at City College, did you know Julius Rosenberg?

Mr. SIEGEL. No.

Mr. COHN. Morton Sobell?

Mr. SIEGEL. No.

I would like to make it clear that I have a bad memory. I don't remember names. Maybe I could remember a picture.

Mr. COHN. You have seen Morton Sobell's picture in the last three years, haven't you?

Mr. SIEGEL. Where?

Mr. COHN. One of the three people convicted of espionage in the trial of Julius Rosenberg.

Mr. SIEGEL. I don't think I would know Sobell.

Mr. COHN. How about William Mutterperl, M-u-t-e-r-p-e-r-l?

Mr. SIEGEL. No.

Mr. COHN. Vivian Glassman?

Mr. SIEGEL. No.

Mr. COHN. Aaron Coleman?

Mr. SIEGEL. No.

Mr. COHN. Did you ever meet Aaron Coleman out at Monmouth?

Mr. SIEGEL. No.

Mr. COHN. You know who Aaron Coleman is, don't you?

Mr. SIEGEL. I don't think so. I don't know these people.

Mr. SCHINE. Some of your classmates at City College are currently employed at Fort Monmouth; is not that true?

Mr. SIEGEL. Well I don't know.

Mr. COHN. Do you know anybody at Monmouth you saw at City College? Have you see any familiar faces around there?

Mr. SIEGEL. Well, yes. Occasionally I see a familiar face, and it turns out he was at City College, yes.

Mr. COHN. Who did some of those familiar faces belong to?

Mr. SIEGEL. These are difficult questions.

Mr. COHN. Well, while you are thinking about that, let me ask you this: Why did you leave the United Electrical Workers Union, when you left your employment at Western Electric?

Mr. SIEGEL. Because I was no longer working.

Mr. COHN. At Western Electric; is that right? What did you do? Just let your membership lapse in UE?

Mr. SIEGEL. Yes. Well, I had no purpose in remaining there.

Mr. SCHINE. Would you answer that other question, who the faces belonged to?

Mr. SIEGEL. I can't think.

Mr. SCHINE. Which classmates of yours that you knew at City College you now know are at Fort Monmouth?

Mr. SIEGEL. Questions like that are very difficult for me. I just can't remember names.

Mr. COHN. Well, Mr, Siegel, what is the difficulty about it?

Mr. SIEGEL. Well, now that you asked me the question, if I bumped into somebody there, I would remember it.

Mr. COHN. I mean, I would know if you asked me if anybody in this building went to school with me. I could give you the names of some people.

Mr. SIEGEL. I guess you have a better memory. I mean, I really don't have any point in not telling you that, because I don't see any point to it.

Mr. COHN. But you don't recall any. Do you know Harold Ducore?

Mr. SIEGEL. No.

Mr. COHN. Were you disturbed at the allegations of Communist control of the United Electrical Workers when you heard them?

Mr. SIEGEL. Yes. I was disturbed because I had belonged there. I didn't think it was that bad, that it was Communist-dominated. And I actually thought they took advantage of me, you might say, that I was taken in by them.

Mr. COHN. Through whom did you contribute to the Abraham Lincoln Brigade? Do you recall that?

Mr. SIEGEL. I don't recall; it probably was a letter.

Mr. COHN. In response to a letter, probably?

Mr. SIEGEL. Yes, in those days we used to get letters all the time, for all kinds of causes. And, as I say, I don't even recall if that was the name of the organization. Of course, I know now it is on the subversive list. Now I wouldn't contribute to anything unless I knew definitely what it was. But at that time I wasn't even conscious of the danger.

Mr. COHN. You say you have no recollection of signing a petition extending greetings to the Communist party?

Mr. SIEGEL. Greetings? No. Because I know I wouldn't sign anything like that.

Mr. COHN. You say you would not sign anything like that.

Mr. SCHINE. When you were a member of the United Electrical Workers, you said you knew there were Communists there, and you were about to name some of the Communists you knew there.

Mr. SIEGEL. I said I thought there might have been Communists. Because I wouldn't accuse anybody. I don't want anybody to accuse me, either.

Mr. SCHINE. You discussed communism at that time with some of the members?

Mr. SIEGEL. There again, I know there was one man who was very active—

Mr. SCHINE. Would you give us his name?

Mr. SIEGEL [continuing]. In this union. I am not even sure of his name. I think his name was Rubin.

Mr. SCHINE. Would you spell that please?

Mr. SIEGEL. R-u-b-i-n.

Mr. SCHINE. What was his first name?

Mr. SIEGEL. I just can't think of his first name.

Mr. SCHINE. Would you tell us of his activities?

Mr. SIEGEL. I thought you would ask me. I was trying to think of his name, but I just can't think of his first name. I know there were two brothers. I can't recall either of the first names.

Mr. SCHINE. Would you describe their activity?

Mr. SIEGEL. Well, they were just very active in this union and tried to get everybody to join. This fellow, I think, took care of all the complaints, you might say.

Mr. SCHINE. You think he was a Communist?

Mr. SIEGEL. I think so.

Mr. SCHINE. He talked about communism frequently?

Mr. SIEGEL. Not frequently. Well, the thing that makes me believe that he was: He once tried to get me to subscribe to the *Daily Worker*. That is the one thing that made me think so. He said: "Well, I will put you on the subscription list." I said, "I don't want to be on the subscription list." I remember I was afraid that he would put me on the list and I would receive it, and gee whiz, people would think all kind of things about me.

Mr. SCHINE. Why didn't you want to be on the subscription list?

Mr. SIEGEL. Well, I had an idea that Communists weren't up to any good, that they wanted the overthrow of the government. But it was all sort of hazy. I didn't know exactly what it was all about.

Mr. SCHINE. He talked to you about the Communist movement, didn't he?

Mr. SIEGEL. The movement?

Mr. SCHINE. Yes.

Mr. SIEGEL. No, he didn't talk too much. He just tried to get me interested, just a couple of times. And I guess I didn't respond, so he probably dropped me.

Mr. JONES. How long were you a member of the Electrical Workers Union?

Mr. SIEGEL. Well, it was during this period.

Mr. JONES. Approximately three years? Four years?

Mr. SIEGEL. No, a year or two.

Mr. JONES. How often would you attend their meetings? Once a month?

Mr. SIEGEL. I don't remember how often they had meetings.

Mr. JONES. Once a month?

Mr. SIEGEL. I used to attend most of the meetings.

Mr. JONES. Who presided over most of the meetings? You say it was a Communist-dominated meeting. You just said so a little while ago.

Mr. SIEGEL. I didn't say that. It is known now.

Mr. JONES. Who presided over the meetings that you attended?

Mr. SIEGEL. There was a fellow there. I think he was a professional organizer.

If you showed me a picture——

Mr. SCHINE. You can't think of his name?

Mr. SIEGEL. I think it was an Italian name. I think he wore glasses.

Mr. JONES. Did you get the impression that Communists were in this union by attending these meetings?

Mr. SIEGEL. Oh, yes. I had the impression there were Communists in the union.

Mr. JONES. As a result of the meetings; is that it?

Mr. SIEGEL. I really don't know. Well, let me put it this way: At that time I had the impression there were some Communists in all unions, you see. But I didn't think that the union was run by the Communists. There is a big distinction there. Right? You know there are some Communists there, but there is a big difference between that and a union run by Communists. If there are some Communists there, I mean, that doesn't mean the union is bad.

Mr. COHN. Well, what do you think about that union today? There is a difference between having some Communists there and having the heads of the union members of the National Committee of the Communist party.

Mr. SIEGEL. What was that?

Mr. COHN. I said there is a difference between having a few Communists in the union and having a union like UE, where the heads of it were members of the National Committee of the Communist party.

Mr. SIEGEL. That is right. That means that the union is run by the Communists, and you didn't have a chance to do anything.

Mr. SCHINE. Mr. Siegel, you knew they held Communist meetings in the union, didn't you?

Mr. SIEGEL. Who held meetings?

Mr. SCHINE. The Communists. You knew they held Communist meetings in the union?

Mr. SIEGEL. In the union? I didn't know that. I mean, I didn't know the conclusion there.

Mr. JONES. Mr. Siegel, what year were you approached, to the best of your knowledge? What year was it that you were asked to become a member of the party?

Mr. SIEGEL. It was either '44 or '45, I guess.

Mr. JONES. Why didn't you join? Or did you join?

Mr. SIEGEL. I didn't approve of the aims. I didn't know much about the Communist party, but I know they wanted to overthrow the government. That was one thing I didn't like.

Mr. JONES. When did they see you the second time? Was it the following year? To join the party?

Mr. SIEGEL. What do you mean by "the second time"?

Mr. JONES. You were approached one time and asked to join the party. You refused that time. When was the second time that they asked you?

Mr. SIEGEL. I think you are putting words into my mouth. I didn't say I was asked to join the party. This man came over to me, and he said he wanted to give me subscriptions to the *Daily Worker*. And I said, "No, I don't want any part of it." And then he tried

to talk to me. But he never asked me to join the party. I guess that comes later. I don't know.

Mr. BAARSLAG. I just wanted to ask one question.

In the time that you were in UE, did you ever meet an international organizer of that organization by the name of Willard Bliss, B-l-i-s-s, to the best of your recollection?

Mr. SIEGEL. No. There was actually only one organizer I knew, and that is the one that was chairman of these meetings. And, as I said, I can't remember his name. All I know is that he was an Italian. I am pretty sure he was an Italian.

Mr. RAINVILLE. I have just one question I wanted to ask. This radar work is very intricate? It requires a great deal of detail and accuracy?

Mr. SIEGEL. I guess so.

Mr. RAINVILLE. That is the thing that confuses me, because you "guess" it does, and yet you are an instructor in it. You should know whether it does—require technical proficiency and considerable concentration to make sure that the job is done properly or not.

Mr. SIEGEL. Oh, yes, it does.

Mr. RAINVILLE. I mean, I can understand that you use that as an expression, "I guess so," but I would like specifics now. It does require great ability to do that particular job?

Mr. SIEGEL. Well, it requires ability of a certain kind. Every job requires a certain amount of ability.

Mr. RAINVILLE. You have to remember where this wire goes and where that wire goes and make sure that you tie them all up right. Yet you seemed to have an awful lot of difficulty remembering where you worked for the last couple of years and the names of men you worked with.

Mr. SIEGEL. I understand that looks very suspicious.

Mr. RAINVILLE. I am not saying "suspicious."

Mr. SIEGEL. Well, yes. I am saying that. I feel you must be suspicious. But I have a very bad memory for names. Sometimes I can remember a picture better. I wish more than you that I could remember more names, I assure you.

Mr. RAINVILLE. But that doesn't affect you in any way when it comes to sitting down at a rather complicated mechanism and handling it with skill, enough skill so that you can instruct others in the construction and repair and operation of it?

Mr. SIEGEL. Well, I usually find that when I have to teach, I review the material first, before I go into class.

Mr. RAINVILLE. And you knew you were coming here today, and you were thinking about this, and you were trying to remember Mr. Rubin's name?

Mr. SIEGEL. That is the one name I managed to remember.

Mr. RAINVILLE. I noticed that.

I don't think I have anything else, Mr. Schine.

Mr. SCHINE. Mr. Cohn?

Mr. COHN. No, sir.

Would you step outside for a few minutes, Mr. Siegel, and would you ask Mr. Corwin to come in for a minute?

Mr. SIEGEL. Yes, sir.

Mr. COHN. Sit down, Mr. Corwin, please.

Mr. SCHINE. Would you state your full name, please?

STATEMENT OF JEROME CORWIN

Mr. CORWIN. Jerome Corwin.

Mr. COHN. C-o-r-w-i-n?

Mr. CORWIN. That is right. Although I changed my name, I think back in '47. The name was originally Zorwitz, Z-o-r-w-i-t-z.

Mr. SCHINE. And your occupation?

Mr. CORWIN. I am an engineer, a mechanical engineer.

Mr. SCHINE. Where are you currently employed?

Mr. CORWIN. I am at Evans Signal Corps Laboratory.

Mr. SCHINE. What is your function as an engineer at Fort Monmouth?

Mr. CORWIN. I am chief of the Mechanical Engineering Section of the Spec and Drafting Branch of Evans Signal Corps Laboratory.

Mr. COHN. You work at Evans right now?

Mr. CORWIN. That is right.

Mr. SCHINE. And as chief, what are your duties?

Mr. CORWIN. Our group is responsible for all of the mechanical work at the laboratory in general. We do some internal work, and also we act as mechanical consultants to the other groups. We don't have any particular field that we are responsible for in that sense.

Mr. SCHINE. And would you describe some of the projects that the laboratory carries on?

Mr. COHN. Just in general.

Mr. CORWIN. Well, I think you know it covers radar, meteorology, actually all the stuff that the Signal Corps is responsible for with the exception of communications, which is at another laboratory, and component parts, which is at another laboratory.

Mr. COHN. Does this Evans Laboratory have a responsibility in connection with development of devices to protect us against atomic attack and provide for detection of it, and radar?

Mr. CORWIN. They do radar work. There is one group there that does the radar work, the work on the rest of the equipment.

Mr. SCHINE. Guided missiles, too?

Mr. CORWIN. I don't know too well the details of it, I really couldn't say.

Mr. COHN. The radar work in part would be directed at detection of atomic attack. Is that right?

Mr. CORWIN. Well, I don't know how much I can say. I can say it is radar work of the Signal Corps type.

Mr. SCHINE. How long have you been doing this work?

Mr. CORWIN. I was first employed in October of 1940. I came in as a draftsman at that time.

Mr. SCHINE. And how long have you been chief of the laboratory?

Mr. CORWIN. This is a section. I would say something that like eight years, something like that in round figures.

Mr. SCHINE. Where did you go to school, Mr. Corwin?

Mr. CORWIN. I graduated from City College back in '37. Then I just recently got my master's at Rutgers. Rutgers has an extension college at Fort Monmouth, and they encourage additional academic background.

Mr. SCHINE. We meant to ask you: You have access to classified material?

Mr. CORWIN. I am cleared up to secret, as far as I know.

Mr. SCHINE. And you deal with classified material in the every-day course of your work?

Mr. CORWIN. Yes. Well, it is rather limited, because our work, as I said, deals with the mechanical field, and most of the equipment we deal with usually is of an unclassified or restricted nature. We are not involved with radar in any form.

Mr. COHN. Have you always had access to classified material since you have been at Monmouth?

Mr. CORWIN. So far as I know.

Mr. SCHINE. When did you enter City College?

Mr. CORWIN. I entered in '32. I attended one day session, and changed to the evening session. That is why it took me five years.

Mr. SCHINE. Some of your classmates at City College are working now at Fort Monmouth, I take it?

Mr. CORWIN. Well, if you say "classmates," I don't really know, because I got out in '37.

Mr. SCHINE. Well, some City College graduates. Would you name some of those that you know?

Mr. CORWIN. Oh, yes. Well, I know Aaron Coleman, Harold Ducore, Sam Pomerantz. Actually I would say there are quite a list of City College graduates there.

Mr. SCHINE. Would you name as many as you can?

Mr. CORWIN. I will try. It is a little difficult.

Mr. SCHINE. Just take your time and spell the names as you go on.

Mr. CORWIN. Samuel Levine.

Mr. SCHINE. L-e-v-i-n-e?

Mr. CORWIN. That is right.

Mr. SCHINE. Just continue.

Mr. CORWIN. Offhand, I can't think of any others. I am sure there are more.

Mr. COHN. Rudolph R-i-e-h-s?

Mr. CORWIN. No.

Mr. COHN. A man named Loonie, Bill Loonie?

Mr. CORWIN. Yes.

Mr. COHN. Was he at City College?

Mr. CORWIN. Well, I think he is a graduate of City College. Let's see. Is his name Lonnie? I think he changed his name.

Mr. COHN. Did he? I noticed in the City College directory it was spelled L-o-o-n-i-e, and now it seems to be spelled L-o-n-n-i-e, and that sort of threw me.

Is that the same fellow?

Mr. CORWIN. I think he changed it because it was a very uncomfortable name, I think he was a lieutenant in the Marine Corps, and it was uncomfortable to be called a "Loonie Lieutenant."

Mr. COHN. That is apparently the same fellow, isn't it? How about Henry Burkhard?

Mr. CORWIN. Burkhard? I can't place him.

Mr. SCHINE. Would you name some of the courses you took while you were at City College?

Mr. CORWIN. Oh, God.

Mr. COHN. What degree did you get?

Mr. CORWIN. Mechanical engineering.

Mr. COHN. You took the courses leading up to that?

Mr. CORWIN. That is right, prescribed courses.

Mr. COHN. Physics?

Mr. CORWIN. Physics.

Mr. SCHINE. You took mathematics?

Mr. CORWIN. That is right.

Mr. SCHINE. Was Mr. Coleman in your class at City College?

Mr. CORWIN. No, he was not.

Mr. COHN. When he says "in your class," interpret that as being in any class with you, any section.

Did you take any classes with him?

Mr. CORWIN. Not that I know of.

Mr. COHN. Did you know him at City College?

Mr. CORWIN. No, I didn't.

Mr. SCHINE. Did you take any classes with Mr. Ducore?

Mr. CORWIN. No.

Mr. COHN. Did you know Mr. Ducore at City College?

Mr. CORWIN. No, I didn't.

Mr. SCHINE. When did you first meet Mr. Coleman and Mr. Ducore?

Mr. CORWIN. I met them both at the laboratory, and actually I met Mr. Ducore first, in chronological order, I think some time in '41, roughly.

Mr. SCHINE. You had more than an occupational acquaintance with him?

Mr. CORWIN. Well, I first met him through the laboratory, and it started purely on a business association but later become social.

Mr. SCHINE. It became social, and you became good friends?

Mr. CORWIN. That is right.

Mr. SCHINE. You have known them both, and you have seen them frequently?

Mr. CORWIN. Yes.

Mr. SCHINE. Through the forties and since that time?

Mr. CORWIN. That is right.

Mr. SCHINE. Socially?

Mr. CORWIN. That is right.

Mr. SCHINE. When you first applied for a position at Fort Monmouth, you had to state references for your job. Would you state the names of the references you gave at that time, if you can?

Mr. CORWIN. Well, I lived in New Rochelle, New York, and I am sure that the references that I chose were local people. I can't remember all the names. I can only remember one. I think it was Henry Wissecker.

Mr. SCHINE. Would you spell that, please?

Mr. CORWIN. W-i-s-s-e-c-k-e-r—who has died recently. I used to work for him in New Rochelle. He had a stationery store. And I am afraid I can't remember the other names. But I am sure that they were all residents of New Rochelle.

Mr. SCHINE. When you were at City College, you knew about the Communist movement?

Mr. CORWIN. Well, to tell you the truth, I lived at New Rochelle when I attended City College, and I didn't have much social contact there at all. I went to school and left at night to come back and

work, and I didn't spend much time around the college area. I didn't really get to know too many people at that time.

Mr. SCHINE. You knew some people?

Mr. CORWIN. The people in my mechanical group that went through the four years with me. And, actually, today, I can't remember a single name. I probably can recognize some, if you have them.

Mr. SCHINE. Julius Rosenberg was in your mathematics class at City College?

Mr. CORWIN. Was he? That is news to me.

Mr. SCHINE. Did you know Julius Rosenberg?

Mr. CORWIN. No, I never met him.

Mr. SCHINE. Did you ever know he was at college at the same time you were?

Mr. CORWIN. No, sir, not until, I would say, later on.

Mr. COHN. Did you ever meet him at Monmouth?

Mr. CORWIN. No, I didn't. To the best of my knowledge I didn't.

Mr. COHN. You say you only met Coleman and Ducore at City College; is that right?

Mr. CORWIN. No, at the laboratories.

Mr. COHN. I am sorry. At Monmouth Laboratories. You didn't know them before?

Mr. CORWIN. No, sir.

Mr. COHN. Then you obviously couldn't have been a reference for employment for either Coleman or Ducore, if you didn't know them?

Mr. CORWIN. Not then, no, sir.

Mr. COHN. And neither one of them could have been a reference for you?

Mr. CORWIN. No, sir.

Mr. COHN. Did you know a woman named Vivian Glassman?

Mr. CORWIN. Not that I can remember.

Mr. COHN. And you never met Rosenberg at Monmouth?

Mr. CORWIN. No, sir. I didn't even know he was there.

Mr. COHN. Did you ever participate in any way in any Communist activities?

Mr. CORWIN. No, sir.

Mr. COHN. At City College, were you ever asked to attend any meetings of the Young Communist League?

Mr. CORWIN. No, sir.

Mr. COHN. Were you ever asked to participate in any Communist activities?

Mr. CORWIN. No, sir. I wasn't asked to participate in anything there, to the best of my knowledge.

Mr. COHN. Have you ever belonged to any organization which is a Communist organization or Communist-dominated?

Mr. CORWIN. No, sir.

Mr. COHN. Now, how frequently were you with Mr. Coleman out at Monmouth after you met him?

Mr. CORWIN. Well, actually, I first met him—I am afraid I can't remember the exact years, but roughly about '41. And it was a very meager contact. I think I was still a draftsman at that time, and he was a project engineer, a relatively high position. Then I think that up until the time he left for the Marine Corps, I didn't know

him very well at all. But on his return he took over some work, which required a lot of our work, on the mechanical aspect of it, and then our business acquaintanceship sort of grew into a social acquaintanceship. And socially, I would say I know him very, very well.

Mr. COHN. You know him very well?

Mr. CORWIN. Yes.

Mr. COHN. Do you know whether or not Mr. Coleman is a Communist?

Mr. CORWIN. I can say that I believe he is absolutely not.

Mr. COHN. Has he ever expressed any pro-Communist views that you have heard?

Mr. CORWIN. No, sir.

Mr. COHN. Did you know he was a good friend of Julius Rosenberg?

Mr. CORWIN. No, sir, I don't believe he is or was.

Mr. COHN. Has he ever told you that?

Mr. CORWIN. After this Rosenberg case, he has indicated that he had either met him at school or something like that, but that he had no other contact with him whatsoever.

Mr. COHN. Did he ever tell you he went to Young Communist League meetings with Rosenberg?

Mr. CORWIN. He told me that recently.

Mr. COHN. When did he tell you that?

Mr. CORWIN. I would say within the past week or so.

Mr. COHN. He must have been fairly friendly with Rosenberg then; isn't that right?

Mr. CORWIN. No, sir, I don't believe so. That is the way he expressed it to us.

Mr. COHN. He was on Young Communist League terms with him.

Mr. CORWIN. My opinion is that Coleman must have been a young person at that time, not mature, and with some curiosity involved in it.

Mr. COHN. Do you think he was mature in 1946?

Mr. CORWIN. Yes, I imagine he would be.

Mr. COHN. Do you know whether he walked off with any secret documents in 1946?

Mr. CORWIN. Well, I know that he had some trouble about secret documents.

Mr. COHN. What was the trouble he had?

Mr. CORWIN. As I understand it—and, of course, I have gotten some information from him—but putting it all together, he had had some documents at home of a classified nature. I don't know the classification, but they were classified.

Mr. COHN. Was he suspended after that?

Mr. CORWIN. Yes, he was penalized.

Mr. COHN. Then he was reinstated?

Mr. CORWIN. Well, the suspension actually was a loss of pay for a period of time. I think it is just automatic. You are still working. I think it is just a penalty, rather than what we would call a suspension.

Mr. COHN. Did Coleman tell you he knew Morton Sobell pretty well?

Mr. CORWIN. No, sir. He had met Morton Sobell; through business contacts he met him, at school, I don't know how well.

Mr. COHN. Was he on Young Communist League terms with Morton Sobell, do you know?

Mr. CORWIN. Not that I know. I don't believe so.

Mr. COHN. Did he tell you Morton Sobell ever stayed at his home out in New Jersey?

Mr. CORWIN. No, sir.

Mr. COHN. Did he tell you Morton Sobell visited him eight times out at Monmouth?

Mr. CORWIN. He never told me. I wouldn't know about it.

Mr. COHN. What did he tell you about his association with Sobell?

Mr. CORWIN. Well, in the first place, he had some work with which I was also connected that I think dealt with the company named Reeves, Reeves Instrument.

Mr. COHN. Up on 92nd Street, New York?

Mr. CORWIN. That is right. And I think that Sobell was working for Reeves at that time and was either responsible or had some connection with the actual work that was being done for Fort Monmouth, and Coleman was responsible for the entire program, or something like that.

Mr. COHN. Then he had dealings with Sobell. Is that right?

Mr. CORWIN. So I understand. I don't know how much, or what the amount of contact was, but he did have dealings with Sobell, I know.

Mr. COHN. But you, yourself, never had any dealings with Sobell?

Mr. CORWIN. No.

Mr. COHN. When did he tell you he went to Young Communist League meetings with Rosenberg?

Mr. CORWIN. Just about a week ago.

Mr. COHN. He had never disclosed that to you before?

Mr. CORWIN. No.

Mr. COHN. In other words, after the Rosenberg case broke, you were discussing Rosenberg and the Rosenberg case, but at that time he didn't mention it to you?

Mr. CORWIN. That is right.

Mr. COHN. He mentioned it to you for the first time within the past week?

Mr. CORWIN. To the best of my knowledge.

Mr. COHN. Was this before he was suspended, or after he was suspended?

Mr. CORWIN. Actually it was after, because it was listed as one of the charges, and that is what started the discussion.

Mr. COHN. Did he tell you what the other charges were?

Mr. CORWIN. Yes, sir.

Mr. COHN. What were the other charges?

Mr. CORWIN. I can't remember them all, but roughly I think that it was that he knew Rosenberg and this YPL or whatever it is.

Mr. COHN. The Young Communist League.

Mr. CORWIN. And that he knew Sobell. I can't remember the details, but there is something there. Oh, this classified document entered into it.

Mr. COHN. What else?

Mr. CORWIN. I think he said that members of his family were members of or had registered at APL or something like that.

Mr. COHN. ALP?

Mr. CORWIN. ALP.

Mr. COHN. Did he tell you which members of his family?

Mr. CORWIN. Yes, it was his mother and sister. And that is about all I can remember, offhand.

Mr. COHN. Did he show you the letter of charges, by the way?

Mr. CORWIN. Yes.

Mr. COHN. He did. That went into some detail, did it not, as to his associations with Morton Sobell?

Mr. CORWIN. Yes, sir. It was a short paragraph. I don't remember the exact content of that, but it said that he had relationships with him. I don't remember the exact details.

Mr. COHN. Now, let me ask you this, Mr. Corwin. Did you ever take secret documents to your home?

Mr. CORWIN. No, sir.

Mr. COHN. You never did. Is that right?

Mr. CORWIN. No, sir.

Mr. COHN. It was made very clear to you up at Monmouth that that was a grave violation of security regulations. Is that right?

Mr. CORWIN. Yes, sir.

Mr. COHN. That was something that was not to be done under any circumstances without permission. Is that right?

Mr. CORWIN. Without permission,

Mr. COHN. Do you know of any other instances where people were suspended for taking secret documents home, classified documents home?

Mr. CORWIN. No, sir, I don't. There has been loss of pay.

Mr. COHN. Let's say "penalties."

Mr. CORWIN. Penalties for leaving them out or leaving unlocked safes, the usual thing. That has happened there. But I don't know of any other incident where someone has taken a document home. The reason I sort of hesitated is that in the past and some time ago under certain conditions you were allowed to take classified documents to attend meetings, conferences, and the like.

Mr. COHN. That was for a specific purpose and with specific permission?

Mr. CORWIN. Yes.

Mr. COHN. Did Coleman tell you when he last saw Sobell?

Mr. CORWIN. No, sir. He didn't. Not the exact date or anything like that. I could guess.

No, even a guess wouldn't be good, because I know he was working around a certain time on some equipment that would bring him to Reeves.

Mr. COHN. We can agree it wasn't within the last two years. He hasn't visited him in jail, has he?

Mr. CORWIN. I would say absolutely not. He probably would have told me.

Mr. COHN. Were you surprised when he told you he had gone to Young Communist League meetings with Rosenberg?

Mr. CORWIN. Yes, I was, because I didn't see the point of going even. He told me he had attended just one meeting and saw what

it was all about and was, in his own words, pretty disgusted with the whole set-up and left.

Mr. COHN. Did he tell you Rosenberg was the man he had taken to that meeting?

Mr. CORWIN. Yes.

Mr. CARR. That is what he told you in 1953?

Mr. CORWIN. Yes.

Mr. COHN. That is what he told you last week.

Mr. CORWIN. With respect to this meeting, yes.

Mr. COHN. Were you pretty friendly with Harold Ducore?

Mr. CORWIN. Yes.

Mr. COHN. He and Coleman were pretty friendly, too. Is that right?

Mr. CORWIN. I could say yes. Lately they had some misunderstandings.

Mr. COHN. When was the misunderstanding?

Mr. CORWIN. Well, they bought a house together.

Mr. COHN. When was that?

Mr. CORWIN. Oh, gosh. I guess in '41 or '42.

Mr. COHN. Where was that house?

Mr. CORWIN. Wait a minute. It was about four years ago.

Mr. COHN. In the late '40's. Isn't that right?

Mr. CORWIN. Yes.

Mr. COHN. Where was that house located?

Mr. CORWIN. It is on Branch Avenue and Long Branch.

Mr. COHN. Then they had some misunderstanding over that; isn't that right?

Mr. CORWIN. That is true.

Mr. COHN. They made up after that, didn't they?

Mr. CORWIN. As far as I know, their social relationship never got back to the original closeness they had.

Mr. COHN. Now, did you continue your friendship with Ducore nevertheless?

Mr. CORWIN. Yes, although my friendship tapered off, too, and, actually, I guess people get married and they have other interests and start to drift apart. We drifted as far as the Ducores were concerned, but we didn't drift as far as the Colemans were concerned.

Mr. COHN. I see. Have you talked to Mr. Ducore lately?

Mr. CORWIN. Only over the phone. He is part of my car pool, and he called me one night to say he couldn't come in.

Mr. COHN. Did he give you any of the details of his suspension?

Mr. CORWIN. He gave me a little bit. I think he indicated that he had been a member of some union out there, I don't remember the exact name of it. Is it the United Public Workers, or something like that? And also that his wife was a member. That is all.

Mr. COHN. Did he tell you he was a friend of Rosenberg and Sobell?

Mr. CORWIN. No, sir. So far as I know he didn't know them. So far as I know.

Mr. COHN. I don't think I have anything else.

Mr. CARR. You say Ducore was a member of your car pool up until he phoned you and said he would not be going in to work?

Mr. CORWIN. That is right.

Mr. CARR. So you have been seeing him every day for the last several years?

Mr. CORWIN. That is right.

Mr. CARR. To get back to the documents, do you consider it a serious matter to have classified documents in your home?

Mr. CORWIN. Yes, sir.

Mr. CARR. Well, was it in only one instance, to your knowledge, that Coleman was reprimanded for this?

Mr. CORWIN. So far as I know, just once.

Mr. CARR. Was he ever reprimanded for leaving documents in unsecure places in the office?

Mr. CORWIN. No, sir.

Mr. CARR. Were you ever reprimanded for that?

Mr. CORWIN. Yes, sir.

Mr. CARR. What did that situation involve?

Mr. CORWIN. I think I left out a classified document, and I was penalized a day's pay, or maybe it was two days' pay for that.

Mr. CARR. Do you recall what the classified document was?

I don't mean what it was, but what it was classified as.

Mr. CORWIN. I believe it was secret.

Mr. CARR. When you say you left it out, does that mean you were working with it during the day and you forgot to carry it back to its repository?

Mr. CORWIN. That is correct. Actually, I didn't return to my office that night, and unfortunately the person that was supposed to clean up missed it. I took the penalty, because I didn't tell them in detail that it was there, so it was really my responsibility. But I did not get back to the office at the closing time.

Mr. CARR. When you say you took the penalty, does that mean you "covered" for the person who actually left it out?

Mr. CORWIN. Not actually. I felt I was responsible for not having made sure to tell him to pick it up. I didn't cover up.

Mr. CARR. If you left such a document out at your desk, or at the place where you work, would anyone in the building have access to it?

Mr. CORWIN. Well, I guess they would. It is on the desk. Although people coming in, in an office, usually, unless we know who they are, would be watched carefully, or would be asked what they are doing there, and so on. I have an office where the two of us, two engineers, myself and an assistant and some girls, keep all our classified documents, although we don't keep very many because we don't have much access to it.

Mr. CARR. What was the date of this?

Mr. CORWIN. This was quite some time ago. I would guess in '49 or something like that.

Mr. CARR. In '49. Could you give us a little bit of information concerning what you would do with a classified document? You, in the course of your work, have need for a classified document?

Mr. CORWIN. Occasionally.

Mr. CARR. Occasionally. Where do you obtain that document?

Mr. CORWIN. When we work on a request for some group, they supply the necessary background information that we may need to do the job. They may supply this particular document. They hand it to us, and we have to sign a receipt for it, and my girl takes it

and sets it in the file and puts the receipt on it. Anybody that takes it out of the file sign for it and returns it every night, and so on.

Mr. CARR. Is there a central repository for the classified documents?

Mr. CORWIN. Well, there is a central—

Mr. CARR. I mean within your office, your building.

Mr. CORWIN. Yes. Within my office we take care of all the documents for our particular people that are associated with us, and they are all in at night and locked in the safe and so on.

Mr. CARR. Who has the primary responsibility for that?

Mr. CORWIN. My secretary takes care of the details and keeps the route sheets, to indicate who has it, and so on.

Mr. CARR. So, in effect, it is your responsibility?

Mr. CORWIN. Oh, yes, definitely.

Mr. CARR. I am not talking about merely a document that obtained, but a document obtained for your office.

Mr. CORWIN. That is right.

Mr. CARR. It becomes your responsibility. You become a security officer concerning that document?

Mr. CORWIN. Yes, sir. I don't know if the exact term is right, but I am responsible for all documents.

Mr. CARR. For anyone in your office.

Mr. CORWIN. That is right, I am responsible for the whole section, all the people involved.

Mr. CARR. As for that document, as long as you need it, you are responsible for it; as long as it is needed in your particular office, your section, you are to keep it under secure conditions. Is that a locked safe?

Mr. CORWIN. Yes, combination lock.

Mr. CARR. When do you return that document to either the agency that gave it to you in the first place or the security officer? When does that happen?

Mr. CORWIN. Well, when we no longer have need for it.

We return it immediately, because there is no point in keeping it.

Mr. CARR. All right. Do you return it immediately to any central place, or to a security officer in the building?

Mr. CORWIN. There has been a recent change in the handling of secret documents and the like.

Mr. CARR. How recent?

Mr. CORWIN. Oh, I would say about a month or more. But actually we have very seldom had secret documents. Most of our stuff was of a confidential or restricted nature. With this new stuff, the secret stuff is only handled from a central laboratory repository, delivered and transmitted in that manner. The reason I say this is because I haven't had any secret material for quite a while.

Mr. CARR. Since the new arrangement on the documents. Now, this new arrangement was only set up in the past month, or month and a half?

Mr. CORWIN. Well, let's say two or three months, roughly. Not too long ago.

Mr. CARR. What was the old system?

Mr. CORWIN. The old system was to get receipts from people. But it could be sent through a special messenger from one group to another without having to go through the top security lab set-up.

Mr. CARR. But now it works how?

Mr. CORWIN. The secret stuff must go only to the top security officer, and then can be transmitted to anyone.

Mr. CARR. So now the same situation is true. The security officer then would deliver the document to you for use in your section, and then you become the security officer for the document?

Mr. CORWIN. That is right.

Mr. CARR. And when you are finished with it, it is returned to the security officer?

Mr. CORWIN. I think that is correct.

Now, the reason I am a little puzzled by it is because I read the regulations, but I haven't had any secret documents in quite some length of time. And truthfully, my girl keeps a check on it, and I get together with her before we do anything of that type.

Mr. CARR. When you return such a document to the security officer, is your receipt given back to you, and is it entered in the log?

Mr. CORWIN. Yes. I understand they have both the log and the receipt. You sign for this, and your receipt is returned to you when you bring back the document.

Mr. CARR. Is the new set-up that has been put into effect more secure, do you think?

Mr. CORWIN. Oh, yes, very much so.

Mr. CARR. Prior to that, the document would flow through many hands before it got to you?

Mr. CORWIN. Well, with all classified material of a secret nature, there were always receipts. The restricted didn't have that check. There were always receipts, but it didn't have to go through any security office before it got any place, and I don't think logs were kept in its transit too well. That is, there were logs in each office saying when they had it and—

Mr. CARR. Was there an incident that led to this new change?

Mr. CORWIN. I would guess that the number of violations of all natures were increasing slightly, or they felt the percentage was too high and some drastic steps had to be taken. But that is a guess on my part.

Mr. CARR. In other words, there were too many of these instances like your case and Coleman's case, where documents were left out, or they were taken home?

Mr. CORWIN. I would say as far as documents being taken home, I don't recall any other incident.

Mr. COHN. This Coleman incident: there is a big difference between something lying around and something being taken home.

Mr. CORWIN. It is a secured area. It is well protected.

Mr. COHN. We can agree there is a big difference between having a couple of documents out and taking documents to your house.

Mr. CORWIN. I think if you would check all the people at the laboratory they probably have had some violation of that nature, I am not trying to look it down—

Mr. CARR. Is this considered a serious offense at Monmouth, leaving documents out insecure?

Mr. CORWIN. Oh, yes.

Mr. CARR. Now, the penalties are stricter than they were prior?

Mr. CORWIN. Well, I think they are slightly stricter. It all depends on the circumstances which surround the particular incidents.

Mr. CARR. What is the usual suspension? One day, such as you received in '49?

Mr. CORWIN. No, I think the secret category starts with two, or maybe it is a week now. I don't remember. And then, of course, if it happens more than once you would be fired.

Mr. CARR. Of course, if the document was really of a highly confidential nature, or such as to be classified secret or even top secret, it would only have to be left out for ten minutes to cause harm.

Mr. CORWIN. Yes. Although there are some other circumstances that surrounded my incident and a lot of others. We have been a little delayed in reducing the classification of a lot of our documents.

Mr. COHN. You mean down-grading?

Mr. CORWIN. Down-grading. It is because it is a physical problem, and we never have had enough people to do the work that we are responsible for. So it has created a problem.

Mr. SCHINE. Mr. Corwin, what are Mr. Coleman's functions at Fort Monmouth?

Mr. CORWIN. His functions were——

Mr. SCHINE. Or "were"?

Mr. CORWIN. He was chief of the System Section of Radar Branch.

Mr. COHN. Chief of the System Section of Radar Branch?

Mr. CORWIN. That is right.

Mr. SCHINE. And as such, what did he do?

Mr. CORWIN. He was responsible for certain radar equipments. They are of a classified nature.

Mr. SCHINE. He had access to classified material and plans?

Mr. CORWIN. Yes; the details of which I really don't know.

Mr. COHN. He had an awfully sensitive job, didn't he?

Mr. CORWIN. I would say it is rather sensitive, yes, sir.

Mr. COHN. He had that up until last week?

Mr. CORWIN. No, sir, I think he was—shall we say his clearance was taken away for quite a period of time.

Mr. COHN. What did he do after his clearance was taken away?

Mr. CORWIN. I think they put him in a so-called non-sensitive area where no classified material is around. And he told me this: that he was writing instructions for books, or something. The army has a correspondence school for soldiers, and he was preparing lessons and questions.

Mr. COHN. For how long a period of time was he chief of this radar section?

Mr. CORWIN. For quite a period of time. It is hard to remember the exact dates. Eight years or some considerable amount of time.

Mr. SCHINE. Approximately when did he take this secret document home with him?

Mr. CORWIN. I will have to guess. I don't remember.

Mr. SCHINE. Was it 1946?

Mr. CORWIN. That would probably be right.

Mr. SCHINE. If a document of this nature got into the hands of Soviet Russia, could it be of value to them?

Mr. CORWIN. I really couldn't say. I don't know what he had. I don't even know what the classification was. All I know was that they were classified.

Mr. COHN. Let's put it this way. Mr. Coleman was head of the section of radar, dealing with highly classified material. If he had turned over papers which came into his possession to the Soviet Union, would they have been of any benefit to the Soviet Union, do you think?

Mr. CORWIN. I would guess they would be. It is hard for me—

Mr. COHN. There is no doubt about that, is there?

Mr. CORWIN. Well, I guess so. I don't know how much they know or we know.

Mr. COHN. Don't let's assume that other people have given them stuff before. Let's assume that we think they don't know anything.

Mr. CORWIN. These were classified documents. They certainly shouldn't have gotten into the hands of any other country.

Mr. COHN. And radar was certainly an awfully sensitive thing. That is one thing we are relying on in the way of defense to atomic attack. Isn't that right?

Mr. CORWIN. I imagine so. I don't really know enough about it.

Mr. SCHINE. He didn't discuss with you just what the document was that he had taken home with him?

Mr. CORWIN. No, sir.

Mr. COHN. Do you know whether he took documents home on any other occasions?

Mr. CORWIN. No, sir, I really don't know.

Mr. SCHINE. What was Mr. Coleman's attitude about taking the document home with him, being reprimanded for it.

Mr. CORWIN. Well, he felt he deserved a reprimand. Actually, he is a very conscientious and very able engineer. I think he has done a tremendous job at the place.

Mr. SCHINE. He is a good first class engineer?

Mr. CORWIN. Yes.

Mr. SCHINE. He isn't in your car pool, is he?

Mr. CORWIN. He was before his clearance was taken away.

Mr. SCHINE. Mr. Ducore was in your car pool at that time, too?

Mr. CORWIN. Yes, sir. They lived together.

Mr. COHN. As I understand it, you did not know either Coleman or Ducore before going to Monmouth?

Mr. CORWIN. That is right.

Mr. COHN. You met them first at Monmouth?

Mr. CORWIN. That is right.

Mr. SCHINE. In your car pool; who else was in the car pool, by the way?

Mr. CORWIN. Sam Levine.

Mr. COHN. He was at City College with you, of course?

Mr. CORWIN. He went to City College, too.

Mr. COHN. He was in the class with Coleman?

Mr. CORWIN. I believe so.

Mr. SCHINE. And who else was in the car pool?

Mr. CORWIN. Louis Volp, V-o-l-p.

Mr. COHN. And he is another City College man?

Mr. CORWIN. He is another City College man.

Mr. CARR. In the same class?

Mr. CORWIN. Yes. I don't know what year he got out.

Mr. SCHINE. Who else was in the same car pool?

Mr. CORWIN. I think that is all, because there were five of us, and there wasn't room for anybody else.

Mr. SCHINE. Levine, Ducore, Coleman

Mr. CORWIN. Volp.

Mr. SCHINE. How do you spell that?

Mr. CORWIN. V-o-l-p.

Mr. SCHINE. And being in the car pool means you drove to work together each day and drove home each night?

Mr. CORWIN. There are some variations. This had gone on for a number of years. We dropped somebody and picked somebody else up. But there was a period of time during which these five people including myself rode together.

Mr. SCHINE. During what years did this car pool take place?

Mr. CORWIN. From 1950 on. Perhaps earlier than that.

No, about 1950. I got married, and then I started going back into the pool. I and my wife both worked at the laboratory for a short period of time. We drove every day.

Mr. SCHINE. Now, being in this car pool, you would have very good knowledge of just how careful your associates were and what they took home and what they didn't take home?

Mr. CORWIN. Well, to tell you the truth, we never spoke of any classified stuff even in the car; just general chit-chat and engineering discussions of general nature.

Mr. SCHINE. But they all took home materials with them, didn't they, in their briefcases?

Mr. CORWIN. Occasionally, but I never knew what it was. I never knew what was involved.

Mr. SCHINE. What was Mr. Ducore's attitude about taking material home with him? He had a briefcase or something of that sort?

Mr. CORWIN. To tell you the truth, I remember Ducore carrying nothing home. I mean, that is the impression I am left with.

Mr. SCHINE. He never carried stuff home?

Mr. CORWIN. That is as I remember it.

Mr. COHN. Who would carry stuff home?

Mr. CORWIN. I think Coleman. That is about all I can remember.

Mr. SCHINE. And in the car he sometimes would pull things out of the briefcase and refer to them?

Mr. CORWIN. No, sir. I don't know how often he took it, but that is the only picture I have.

Mr. SCHINE. He just didn't keep the briefcase shut up all the time. You were aware of the contents of the briefcase from time to time?

Mr. CORWIN. I can't remember ever seeing it open.

Mr. SCHINE. He never opened the briefcase in the car?

Mr. CORWIN. To my knowledge. Let me put it this way: I can picture a briefcase and Coleman carrying it, and that is about as far as I can picture.

Mr. SCHINE. But he never wanted you to see what was inside of it?

Mr. CORWIN. No.

Mr. RAINVILLE. He never referred to it?

Mr. CORWIN. No.

Mr. COHN. He never referred to anything in connection with "What happened today?"

Mr. CORWIN. No, the fellows were pretty security conscious. He also went to school, and he might have been bringing home his books and lessons, I went to school, too, and I might have been bring home books in myself. We got a pass for the books and that is the way it operated.

Mr. SCHINE. He was very careful never to let you see what was in the briefcase?

Mr. CORWIN. I never saw the briefcase open, to my knowledge.

Mr. RAINVILLE. But if they were school books, he might have discussed his class work with you?

Mr. CORWIN. We were interested in what was happening in the field, and that is enough to keep you interested.

Mr. RAINVILLE. You get stuck by a problem in class, and somebody else might have the answer. Did that never occur in the car?

Mr. CORWIN. No, sir.

Mr. SCHINE. Mr. Corwin, obviously, on your way home at least on a number of occasions you must have stopped somewhere. Did you lock up the car when the briefcase was in the car, or did he always carry his briefcase with him?

What I am trying to ascertain is just how cautious he was about the briefcase.

Mr. CORWIN. I have no impression of caution or anything else, to be honest with you. We never stopped for anything except to drop off members of the pool. We had no need to stop for any other purpose.

Mr. SCHINE. Did you ever ride home with him in 1946 or 1947?

Mr. CORWIN. Let's see if I can remember. I may have. Yes.

You see, I lived with him for a while. I am trying to remember when that was.

Mr. SCHINE. Did you ever have a regular system of riding home with him in those years?

Mr. CORWIN. The earlier years?

Mr. SCHINE. With Mr. Coleman.

Mr. CORWIN. At that time I think he was going to school, and he used to go in after work, something like that. So there was no pool. I think I rode in with a couple of other fellows. We didn't have a very well organized pool. This was a five-day pool. It was really something to get into, because it meant you used the car but one day a week.

Mr. SCHINE. Can you imagine the circumstances under which Mr. Coleman might have brought himself to bring secret documents home and break security regulations?

Mr. CORWIN. Well, this particular incident that we were discussing before—I know he was doing it in order to try and get work done, things that he thought were needed in a hurry, and he didn't have enough time during the day to do it. He felt they could accomplish the work at home.

Mr. SCHINE. Isn't it true he brought a number of documents home with him, though?

Mr. CORWIN. That is my understanding. I know they were classified. I don't know exactly what the classification is.

Mr. SCHINE. Would he possibly need a number of bulky documents at home to catch up on some work he might have had in one specific job that he was doing?

Mr. CORWIN. I can imagine it is possible. I didn't know enough of the details of his job to really answer. But I can imagine so. Because some of the documents are called technical manuals, that describe other pieces of equipment, and they may just come in bulk. You don't need the whole thing, but you can't excerpt any part of it, so you use the whole thing.

Mr. SCHINE. Would you try to give us the names of two or three individuals with whom Mr. Coleman is friendliest besides yourself at Fort Monmouth?

Mr. CORWIN. Well, outside of his business associates, I would say he probably knows Sam Levine very well.

Let's see. There are other people who are not employed at Fort Monmouth.

Mr. SCHINE. Would you name their names, please?

Mr. CORWIN. I have it on the tip of my tongue, and I just can't think of it.

Mr. SCHINE. Go to the next one, and then come back to that.

Mr. CORWIN. I know these people rather well. I don't know them socially as he does.

Mr. SCHINE. Try to give us some of their names.

Mr. CORWIN. Benjamin Bookbinder.

Mr. SCHINE. Who else?

Mr. CORWIN. Jack Okum.

Mr. SCHINE. Would you spell it?

Mr. CORWIN. I think it is O-k-u-m. I am not sure.

Mr. SCHINE. Those are his closest friends?

Mr. CORWIN. Well, I don't know if you could say that. Okum is a very close friend of his.

Mr. SCHINE. Is Mr. Coleman very friendly with somebody else socially that he also works with at Fort Monmouth?

Mr. CORWIN. Additional people?

Mr. SCHINE. Yes. Does he have other close friends socially who also work at Fort Monmouth?

Mr. CORWIN. Offhand, I can't remember any more than the names I have given you.

Mr. SCHINE. Bookbinder?

Mr. CORWIN. Bookbinder. Okum doesn't work at the laboratory.

Mr. SCHINE. But Bookbinder does?

Mr. CORWIN. Bookbinder does, and Sam Levine.

Mr. SCHINE. What is Bookbinder's job at Fort Monmouth?

Mr. CORWIN. He is employed in the same section.

Mr. SCHINE. He is employed in the same section.

Does he work for Mr. Coleman?

Mr. CORWIN. He did.

Mr. SCHINE. What about Mr. Ducore? Do you know the names of some of his close friends, some of Mr. Ducore's close friends who work at Fort Monmouth, and who are also close to him socially?

Mr. CORWIN. To tell you the truth, I don't know. Our social contacts with the Ducore have dropped off in the last couple of years. We don't get together with them.

Mr. SCHINE. Do you know of any close associates he has with whom he is friendly socially?

Mr. CORWIN. I can honestly tell you I don't know. Of course, there is one man we all know. When I say "all," I mean Coleman and Ducore and myself. That is Bob Martin, Bernard Martin.

Mr. SCHINE. Who is Bernard Martin?

Mr. CORWIN. Who is he?

Mr. SCHINE. Yes.

Mr. CORWIN. Well, he was employed at Fort Monmouth, and his clearance was taken away. He has recently been suspended, too.

Mr. SCHINE. Why was his clearance taken away?

Mr. CORWIN. You see, he went through a loyalty hearing. I guess it has been a year ago.

Mr. SCHINE. He discussed this with you?

Mr. CORWIN. Yes, I attended the hearing. I came as a character witness.

Mr. SCHINE. What is his last name?

Mr. CORWIN. Martin, M-a-r-t-i-n.

Mr. SCHINE. Would you tell us briefly what the charges against him were?

Mr. CORWIN. As I remember—I wouldn't be able to give it to you word for word—he was a member of the AVC. That is the American Veterans Committee, I believe. And there was something about that he I think had a job in the air force at Watson Laboratory before they moved, and he was the security officer, something like that, not an official of the army but a civilian counterpart, and had a lot of documents under his control.

Mr. SCHINE. Classified documents?

Mr. CORWIN. Classified; although I don't know about the document in question. And that he had given some information or given a document to a man who later was, so the statement said, found to be a Communist.

Mr. SCHINE. What was the name of the man?

Mr. CORWIN. I think it was Ullmann.

Mr. SCHINE. How do you spell that?

Mr. CORWIN. U-l-l-m-a-n, or something like that.

Mr. COHN. That is William Ludwig Ullmann. Is that correct?

Mr. CORWIN. Gee, that doesn't sound right, I don't know.

Mr. SCHINE. What were the other charges?

Mr. CORWIN. Those were the only two charges.

Mr. SCHINE. What did Bernard Martin tell you about his giving these classified papers to William Ludwig Ullmann?

Mr. CORWIN. Well, whatever his name is, that man was cleared for secret at the time he requested the documents, because everybody in the installation had been cleared. To Martin's knowledge, and I think he checked on it, this man was cleared at that time. Whatever happened about this man happened at some later date.

Mr. SCHINE. Where was Ullmann working?

Mr. CORWIN. I guess he was out there with him.

Mr. SCHINE. At Fort Monmouth?

Mr. CORWIN. This isn't Fort Monmouth.

Mr. SCHINE. Where was this?

Mr. CORWIN. The air force had taken over Watson Laboratory. They released that to go to Rome or something like that. It was when they were employed by the air force.

Mr. SCHINE. And did you know Ullmann?

Mr. CORWIN. I met him, but I didn't know him.

Mr. SCHINE. What is Martin's address, now?

Mr. CORWIN. He lives at 855 Woodgate Avenue in Elberon, New Jersey. I know that, because I lived there with him before I got married.

Mr. SCHINE. And have you seen Martin lately?

Mr. CORWIN. Yes, I think within the past week I have seen him. Yes.

Mr. SCHINE. And have you discussed all of these loyalty cases and suspensions with him?

Mr. CORWIN. Yes. You see, I know these people very well. I have lived with him.

Mr. SCHINE. What does Bernard Martin have to say about all of this?

Mr. CORWIN. Well, as I explained in the second charge at the time that he gave the document, the classification nature of which I don't know, at the time he gave it this man was cleared by the air force people, and to his knowledge he had access to this equipment.

Mr. SCHINE. Did Bernard Martin say that Ullmann was a Communist party member?

Mr. CORWIN. No, sir. Not at that time.

Mr. SCHINE. He knows now that he is a Communist?

Mr. CORWIN. He read the charge, and he is assuming the charge is correct. I don't know, as far as so-and-so being a Communist is concerned.

Mr. SCHINE. Martin is a friend of Ducore's, too?

Mr. CORWIN. Yes.

Mr. SCHINE. Are they close friends?

Mr. CORWIN. I don't know. His friendship is closer than mine, let's say, but I don't think they are intimate friends.

Mr. SCHINE. They are not intimate?

Mr. CORWIN. No.

Mr. SCHINE. Do you know the names of the intimate friends of Ducore?

Mr. CORWIN. No. You see, we are not close enough with them to know.

Mr. SCHINE. Do you know the names of some of the friends he had when you were close to him?

Mr. CORWIN. We were all part of his friends at that time.

Mr. SCHINE. Are there any other names you haven't given us?

Mr. CORWIN. No. To tell you the truth, I don't know.

Mr. CARR. Do you know Herman Schoenwetter?

Mr. CORWIN. No.

Mr. CARR. You don't know him at all?

Mr. CORWIN. No.

Mr. SCHINE. Mr. Jones?

Mr. JONES. Just a few questions. Prior to the enactment of this new security system there, you said that you had in your safe at several times secret documents?

Mr. CORWIN. I guess so. They are classified documents.

Mr. JONES. How many would you have? How many of these documents would you have there at one time?

Mr. CORWIN. Well, let's say quite a number of the classified confidential type. But just to give you a little background, our group does not deal directly in a lot of this equipment. We are people who do the mechanical aspects of the job, and the information given to us is all that we need in order to do our job.

Mr. JONES. And under the old system your secretary was responsible for those papers? In other words, she assigned them out and all that?

Mr. CORWIN. She knew where they were, could lay her hands on them, had a signature from any person who borrowed the document or was using it.

Mr. JONES. How many people were in your office under your immediate supervision?

Mr. CORWIN. Let's say my section consists of roughly forty or forty-two people.

Mr. JONES. Forty-two people, each of whom had access, if they wished to, for their particular project, to this secret information?

Mr. CORWIN. If they were working on a particular project.

Mr. JONES. All they had to do was go up and sign with your secretary?

Mr. CORWIN. She knew what they were working on, and she would release the information to them. They are all cleared, of course. Everyone in the area is.

Mr. JONES. Approximately, then, forty persons under your immediate supervision?

Mr. CORWIN. Yes. But not all of them read the classified documents, since a number of the people are, shall we say, mechanics, people who don't normally have any need for classified information. But our engineers would.

Mr. JONES. But may I ask you this? It would be possible for anyone, we will say, skilled in the use of a small camera to actually photograph any of these documents?

Mr. CORWIN. Well, in the first place, they had to get in with it.

Mr. JONES. Get in with what?

Mr. CORWIN. The camera, or whatever you are talking about.

Mr. JONES. A small camera?

Mr. CORWIN. Well, if he got through our guards, who I understand are pretty efficient, it would be rather difficult unless he stood over somebody's shoulder. And what would he be doing in our place if we don't know him? We would look at anybody that came in, to find out if he was a member, if he had a badge and so on.

Mr. JONES. I mean it would be possible for any of the employees to do that, would it not?

Mr. CORWIN. Well, I guess so, if they knew the person well enough.

Mr. JONES. Say I took out this document from your safe and brought it over to my desk. It would be possible for me, I am sure,

without anybody even seeing me, to take a picture of that document.

Mr. CORWIN. I guess it would.

Mr. JONES. Has there ever been an incident, to your knowledge, that occurred where a camera was used in the plant.

Mr. CORWIN. No, sir, not that I know of. As a matter of fact, in the beginning we were cautioned never to bring in cameras.

Mr. RAINVILLE. You said: If he could look over his shoulder. But I think Mr. Jones is referring to one of these forty-two people that you have under you. They, themselves, could take pictures?

Mr. CORWIN. As far as we are concerned, we check with security to find out what these people are cleared for, and if they are not cleared they can't come into our area.

Mr. RAINVILLE. But any one of those forty-two people could, in the normal course of the day, come into your office with something which you were to sign, or to leave it on your desk?

Mr. CORWIN. You see, the classified documents now are brought to the girl in transit even between our own people.

Mr. RAINVILLE. That is the new system. I mean prior to this, at any time. These people worked for you, and they are in this department, and they have problems that you sometimes have to answer. Any one of these forty-two people on any given day at any given time might walk in and say, "Mr. Corwin, may I sign this?" or "May I have permission to do this?" or any one of a number of routine things. And they all have security clearance.

Mr. CORWIN. Yes, sir.

Mr. RAINVILLE. All top security clearance?

Mr. CORWIN. Well, there is another level called top secret. We don't have it, because we don't need it.

Mr. JONES. How many in your section have this secret clearance?

Mr. CORWIN. Everybody.

Mr. JONES. The entire forty? Even the mechanics?

Mr. CORWIN. Yes, sir.

Mr. RAINVILLE. So that when you left this classified document on your desk, it would be perfectly all right for anyone in there to see it and read it?

Mr. CORWIN. Yes. But I must explain that we are careful in the way we handle our documents. If someone comes that doesn't need the information, the tendency is to put it to one side and turn it over. We are careful. Because there have been violations. It is enough to make anybody——

Mr. RAINVILLE. But you said one other thing. You said it was unusual even in these days.

Now, you haven't had any secret documents, but in these days it was unusual to handle top secret documents?

Mr. CORWIN. We never handled top secret documents at all.

Mr. RAINVILLE. But even to handle secret documents was unusual?

Mr. CORWIN. Yes, because we don't need the knowledge.

Mr. RAINVILLE. But the fact that it was an unusual thing—wouldn't that make you realize that you had left that document out?

Mr. CORWIN. As I said before, I think the document had been officially downgraded, but I had never gotten around to doing anything about it.

Mr. RAINVILLE. But despite that you were penalized for leaving it out?

Mr. CORWIN. The story is that you are going to be penalized for what it says on it, because if you didn't take care of it you should be penalized for not doing it. How should I put it? It is not exactly your fault you didn't do it, but it should have been done. It could have been really secret, too. So, therefore, you are penalized.

Mr. JONES. In this car pool, then, Mr. Corwin, you say that only Coleman carried the briefcase, and only once in a while?

Mr. CORWIN. I will say that is all I can remember.

Mr. JONES. He would take that briefcase inside the plant and take it out again. Is that it?

Mr. CORWIN. Yes. During a period of time there, some of our people were cleared to take in and out classified documents, and they had a special pass signed by the commanding officer.

Mr. JONES. Coleman was one of these?

Mr. CORWIN. I am sure he must have been, according to the work that he did. I am pretty sure.

Mr. JONES. In other words, then, he could walk into the plant and leave the plant without having his briefcase inspected?

Mr. CORWIN. I believe that they did some inspection. To me it was always a little confusing, because I guess the guards are cleared for secret, too, so I suppose they did look to see what the classification was on these sheets. And they examined this pass, which stated exactly what they were allowed to take out.

Mr. JONES. Now, does that still hold true today?

Mr. CORWIN. No, sir. That stopped a number of years ago.

Mr. JONES. A number of years ago?

Mr. CORWIN. So far as I know.

Mr. RAINVILLE. There is one other thing I would like to ask about Mr. Coleman. You said only once had he taken classified documents home that you knew of, and that was when he got this reprimand.

Mr. CORWIN. Let me put it this way: I knew about the reprimand and knew that he took out documents. I don't know how many.

Mr. RAINVILLE. You assumed that that was the only occasion when he took out something when he was not supposed to?

Mr. CORWIN. Yes. When I say "occasion"—he may have taken them out over a period of time or something. I don't really know.

Mr. RAINVILLE. The point I was getting to is that you stressed the fact that he was a very conscientious, hardworking fellow, that he was a good engineer, and didn't like to see his work pile up, and he took it home with him when he felt he had to. Of course, those are all things you wouldn't know unless he discussed it in the car with you that he was taking them home, that it was actually work that was in that briefcase?

Mr. CORWIN. When he got the penalty, of course, we knew he was suspended, since we didn't take him in.

Mr. RAINVILLE. But you say you didn't know what was in the briefcase, it was never opened, in your memory, there was never a discussion of what was in it, no reference, and yet you say he

took work home because he was a conscientious, hardworking engineer that wanted to finish up the details left on his desk at night, and that he processed them even to the point of taking them home to work on them. Well, presumably, if you didn't know what was in the briefcase, and he didn't discuss it in the car with you, you are a little bit psychic to know what he was doing?

Mr. CORWIN. Well, maybe I am not giving you these things in any chronological order. That is to say, when he got the penalty, he discussed what had happened to him.

Mr. RAINVILLE. And then he told you he was conscientious and that he took his work home to process?

Mr. CORWIN. We said to him, to be frank with you: "You are pretty much of a damn fool to do anything like that."

We knew, though, that his work had been falling behind, and he told us.

Mr. RAINVILLE. That he had been doing that?

Mr. CORWIN. Yes. I may not have been giving these statements in any kind of an order.

Mr. RAINVILLE. I was merely going to say, then: This could have been the one time that he was caught. Like the guy that is caught speeding, and the one time he is caught is when he just barely broke the speed limit, instead of when he was going a hundred miles an hour.

Mr. SCHINE. It could have been.

As well as you know him, it is entirely possible he could have taken secret documents home on other occasions?

Mr. CORWIN. I think that is possible. With the pass and everything else. I don't even know why the pass existed at that time. Because it didn't make sense to me. Now it certainly doesn't make sense.

Mr. JONES. Have you ever seen a miniature camera?

Mr. CORWIN. No, sir. How miniature?

Mr. JONES. Oh, about this size [indicating].

Mr. CORWIN. Only in the movies.

Mr. JONES. You have never actually seen one, then?

Mr. CORWIN. No, sir, not physically.

Mr. JONES. At any time in traveling back and forth, has any one of then men in the car had a camera with him of any nature at all that you recall?

Mr. CORWIN. No, sir. Because, as I say, we certainly wouldn't bring a camera to work. There is no point. You can't bring it in.

Mr. JONES. Not a large camera, obviously.

Mr. CORWIN. Yes.

Mr. RAINVILLE. Because they are not camera bugs. None of the fellows you know make a hobby of taking pictures and photography?

Mr. CORWIN. As far as Sobell is concerned, he is the fellow I know least. I have no social contact with him.

Mr. COHN. Do you know this fellow, Dr. Yamins?

Mr. CORWIN. Yes, sir. I don't believe he has gotten his Ph.D.

Mr. COHN. Mr. Yamins. He has been chief of the radiation laboratory?

Mr. CORWIN. I don't think so. I think his position is liaison engineer for our people.

Mr. COHN. Liaison between your place and MIT. Is that right?

Mr. CORWIN. That is right.

Mr. COHN. And your installation up at MIT. Now, have you spoke to Mr. Yamins lately?

Mr. CORWIN. No, sir. I haven't seen him in quite a while, actually since he went to Boston.

Mr. COHN. Have you been told about any of the charges against him?

Mr. CORWIN. No, sir, I haven't.

Mr. COHN. Was he pretty friendly with Mr. Coleman?

Mr. CORWIN. Well, I would say they were friendly. I don't think they had much social contact.

Mr. JONES. Friendly in what respect, then?

Mr. CORWIN. Well, they worked together, and it was a companionship.

Mr. JONES. Scientific companionship more than a social companionship?

Mr. CORWIN. I would say so, yes, sir.

Mr. SCHINE. Mr. Corwin, you lived with Mr. Coleman, didn't you?

Mr. CORWIN. Yes, sir.

Mr. SCHINE. Would you give us the years you lived with him?

Mr. CORWIN. I will try, I think it was in '46 or '47, I am not too sure. We lived in a place called Port-au-Peck.

Mr. SCHINE. The address, please?

Mr. CORWIN. I think it was Vreeland Place, and that was Port-au-Peck, New Jersey.

Mr. SCHINE. Was anybody else living with you at that time?

Mr. CORWIN. Martin. The three of us.

Mr. SCHINE. Incidentally, what is Mr. Martin doing now?

Mr. CORWIN. Up until the time he was suspended, he was with Coleman.

Mr. SCHINE. What is his present job? Do you know what he is doing?

Mr. CORWIN. I don't quite understand. You mean at the moment what is he doing? Probably nothing.

Mr. SCHINE. You and Mr. Coleman and Mr. Martin all lived together in 1946 and '47?

Mr. CORWIN. Somewhere around then. It was for a very short period at the time, but I was sort of moving around from group of fellows to group of fellows until I ultimately got married. Every time a fellow got married, there would be a breaking apart of the household, and we would keep on re-forming.

Mr. SCHINE. Did you ever see classified documents around at that time?

Mr. CORWIN. No, sir, I don't remember seeing any.

Mr. COHN. Did Martin tell you this man, Ullmann turned out to be a member of a spy ring?

Mr. CORWIN. I read it in his charges. The charge was that he was found to be a Communist, words to that effect. I don't think Martin knew the fellow very well.

Mr. COHN. Was Ullmann's name "William Ludwig Ullmann"?

Mr. CORWIN. That doesn't strike a responsive chord.

Mr. COHN. Where was Ullmann working?

Mr. CORWIN. That was at Watson Laboratory, which was part of the air force at that time.

Mr. COHN. Part of the air force; not at Monmouth?

Mr. CORWIN. No, they had nothing to do with Monmouth.

Mr. COHN. Where is it located?

Mr. CORWIN. It is close to Monmouth. It is right outside of Red Bank.

Mr. SCHINE. When you lived with Martin and Coleman, did they ever discuss anything about the Communist movement at that time?

Mr. CORWIN. Not very much, I am afraid. I think our only conversation was of a social nature. I guess we wanted to get married, and our primary interest at that time was meeting girls and keeping our social contacts up. We certainly weren't very politically-conscious, or I would have remember some discussions.

Mr. SCHINE. How do you spell Okum's name?

Mr. CORWIN. I don't know, I think I said it. Was it O-a-k-u-m? Something like that.

Mr. SCHINE. Did he ever work at Monmouth?

Mr. CORWIN. Yes, sir, he worked for Coleman.

Mr. SCHINE. He worked for Coleman.

Mr. CORWIN. That was quite a number of years ago,

Mr. SCHINE. Do you know the year specifically?

Mr. CORWIN. No, I don't. I think it was up until the time that Coleman enlisted in the marine corps.

Mr. SCHINE. Was it around '45 of '46?

Mr. CORWIN. No, I guess it was earlier.

Mr. SCHINE. Earlier?

Mr. CORWIN. Maybe '42, somewhere in there.

Mr. SCHINE. '42. What was Okum's job?

Mr. CORWIN. I think he was some kind of a clerk, that he did a clerical job.

Mr. SCHINE. Do you know what he is doing now?

Mr. CORWIN. Yes, sir. I don't know in detail, but I think he is working for a local electronics outfit somewhere around our area.

Mr. SCHINE. When was the last time he was employed by the government?

Mr. CORWIN. Well, when Watson Laboratory, which was part of the air force moved to Rome, at lot of people who were employed there did not want to go up with them, because there were a lot of physical hardships, so they quit.

Mr. SCHINE. That is Rome, New York?

Mr. CORWIN. No, they quit here at Watson.

I think he left at that time and found himself a job.

Mr. SCHINE. And he had access to classified material at the time?

Mr. CORWIN. At the time he was——

Mr. SCHINE [continuing]. Working for Coleman?

Mr. CORWIN. Yes. And I suppose when he worked for the air force he also had clearance. Now, he also went through a little problem, too.

Mr. SCHINE. Yes, he discussed that with you, didn't he?

Mr. CORWIN. No, I didn't know him very well. Coleman told me about it.

Mr. SCHINE. What did Coleman tell you?

Mr. CORWIN. Well, he told me that his clearance had been taken away, and I think Coleman came up as a witness on his behalf.

Mr. SCHINE. Why was his clearance taken away?

Mr. CORWIN. That I don't know.

Mr. SCHINE. Did you know some of the charges that were against him?

Mr. CORWIN. I think it had to do with the local federal union, the Union of Public Workers, or something like that; that he was a member.

Mr. SCHINE. He was a member. And what were some of the other charges?

Mr. CORWIN. I don't know. That is the only thing we heard. Because it seemed so odd to just be a member of the union, or whatever it was.

Mr. SCHINE. There must have been some other charges against Okum.

Mr. CORWIN. I suppose so.

Mr. SCHINE. Where did you say Okum is now?

Mr. CORWIN. Well, he is out in that area.

Mr. SCHINE. He is working for some small electronic outfit.

What was his first name?

Mr. CORWIN. Jack Okum. Jack, as far as I know.

Mr. SCHINE. How do you spell that?

Mr. CORWIN. That makes the third try. I will not swear to it. Maybe it is O-k-u-m.

Mr. SCHINE. How long has he been out of Monmouth?

Mr. CORWIN. Well, the last place he left was the air force, to my knowledge.

Mr. SCHINE. That was Watson Laboratories?

Mr. CORWIN. Watson Laboratories.

Mr. SCHINE. And you don't think he has been employed by the government since that time?

Mr. CORWIN. I don't believe so.

Mr. SCHINE. When did he leave Watson Laboratories?

Mr. CORWIN. I don't know. I would say '49 or '50, maybe '51. Somewhere in that time.

Mr. SCHINE. And has he been employed at Fort Monmouth?

Mr. CORWIN. He was, way back.

Mr. SCHINE. Besides that early time when he worked for Coleman?

Mr. CORWIN. Not that I know of. No, he wasn't.

Mr. SCHINE. What was Coleman's reaction to the fact that Okum had his clearance taken away? When he discussed it with you, what did he say?

Mr. CORWIN. Well, he felt that there was no reason for it. Okum, of course, was cleared.

Mr. SCHINE. Oh, he was cleared.

Mr. CORWIN. Oh, yes, definitely.

Mr. SCHINE. But he didn't go back to work?

Mr. CORWIN. No, sir. He went back to the air force and stayed with them up until this move. Yes, he was cleared, went back to work with them, stayed until this move started, and left.

Mr. RAINVILLE. The only question that ran through my mind: As I recall it now, Coleman, Martin, and Okum are the three people that were very friendly with you.

Mr. CORWIN. No.

Mr. RAINVILLE. Not Okum so much as Coleman and Martin, with whom you lived?

Mr. CORWIN. Yes.

Mr. RAINVILLE. And Okum, you said, was very friendly with Coleman, worked for him, and you said was probably one of his best friends not now working at the plant.

Were there any others besides those three that were suspended?

Mr. CORWIN. That were friends?

Mr. RAINVILLE. Yes, I mean that were in that group. I am trying to go through my notes and pull them together. I thought maybe you could simplify it for me.

Mr. CORWIN. I don't know what you mean, sir.

Mr. RAINVILLE. The only point that kept recurring to me is that almost every time you came up with the name of somebody who was very friendly, or in the car pool, you came up with the fact that he was suspended. I thought maybe I was exaggerating it, so I wanted to pull them all together.

Mr. CORWIN. No, to my knowledge Harold Ducore, who was in the car pool, and Aaron Coleman, in the car pool, have been suspended.

Mr. RAINVILLE. And Martin, who lived with you, was suspended.

Mr. CORWIN. That is right.

Mr. RAINVILLE. And Okum, whom you knew, even though he was a close friend of Coleman rather than your own?

Mr. CORWIN. He was never suspended. His clearance was taken away, and then he was cleared. That is not suspension. There is a big difference. There is a monetary difference, too.

Mr. RAINVILLE. But it is the same all picture, a questioning of their security.

Mr. CORWIN. Well, clearing up—

Mr. RAINVILLE. A questioning of their security.

Mr. CORWIN. If you want to call it that.

Mr. CARR. I guess that is all, Mr. Corwin.

Thank you very much.

[Whereupon, at 1:00 p.m., a recess was taken until 2:00 p.m.]

AFTERNOON SESSION

[2:00 p.m.]

Mr. COHN. May we get your full name for the record, please?

STATEMENT OF ALLEN J. LOVENSTEIN

Mr. LOVENSTEIN. Allen J. Lovenstein, L-o-v-e-n-s-t-e-i-n.

Mr. SCHINE. Your occupation?

Mr. LOVENSTEIN. Electrical engineer, sir.

Mr. SCHINE. And where are you currently employed?

Mr. LOVENSTEIN. At Evans Signal Laboratory, Fort Monmouth, New Jersey.

Mr. SCHINE. That is the army laboratory?

Mr. LOVENSTEIN. Yes, sir.

Mr. SCHINE. And what are your duties there?

Mr. LOVENSTEIN. I am a project engineer and in charge a subsection of the Radar Equipment Section of the Radar Branch at Evans.

Mr. SCHINE. And, as a project engineer, what do you do?

Mr. LOVENSTEIN. I am responsible for development work on classified and unclassified ground radar equipment.

Mr. SCHINE. What is this ground radar equipment for?

Mr. LOVENSTEIN. It is for use by the different services of the army.

Mr. SCHINE. It involves—?

Mr. LOVENSTEIN. It involves classified information.

Mr. COHN. Some of it, in general terms, involves antiaircraft defense?

Mr. LOVENSTEIN. No, sir, it doesn't.

Mr. COHN. Does any radar work done at Evans involve that?

Mr. LOVENSTEIN. I don't know.

Mr. COHN. But your section doesn't?

Mr. LOVENSTEIN. In one way it does. I can't give you the connection.

Mr. COHN. I don't want the detail. I just want to speak in general terms when referring to classified information.

Mr. LOVENSTEIN. Could you repeat the question?

Mr. COHN. You say in one way it does relate to antiaircraft.

Mr. LOVENSTEIN. Yes.

Mr. COHN. That is enough.

Mr. LOVENSTEIN. I can be more explicit than that.

Mr. COHN. I don't think it is necessary. It is highly classified work?

Mr. LOVENSTEIN. Some of it is secret, yes.

Mr. SCHINE. Radar, of course, can cover anything from ships to airplanes to many other projects about which the general public doesn't know; is that not true?

Mr. LOVENSTEIN. Yes, sir, that is true.

Mr. SCHINE. How long have you been doing this work?

Mr. LOVENSTEIN. I first became employed at Evans on the 17th of November, 1947.

Mr. SCHINE. And were you employed as a project engineer at that time?

Mr. LOVENSTEIN. No, sir, I wasn't. I attained successfully higher positions of responsibility.

Mr. SCHINE. What did you do prior to 1947?

Mr. LOVENSTEIN. Upon graduation from college—

Mr. SCHINE. Which college?

Mr. LOVENSTEIN. The College of the City of New York. City College.

Mr. SCHINE. What year was that?

Mr. LOVENSTEIN. Actually, I received my degree as of August of 1943. I was registered for summer courses during that year, to finish my credits for the degree. I didn't quite finish. However, they gave me the credits. They were non-essential courses. And I wanted to go in the army.

Mr. SCHINE. What did you do? Just describe your occupation since you left college.

Mr. LOVENSTEIN. Following those months of army experience, I went to work for the Hammarlund H-a-m-m-a-r-l-u-n-d-Manufacturing Company. I believe the address was 460 West 34th Street. I am not sure of the address. It was on West 34th Street almost at Tenth Avenue. Working for them, I did bench testing on that Hammerlund "Super-Pro."

Mr. SCHINE. How long did you work for them?

Mr. LOVENSTEIN. I believe I started working for them some time during the summer of 1946. I had been discharged in February, February 11, I believe it was, of 1946. And I worked for them until a lay-off I believe shortly after the first of the year, sometime around the first of the year 1947.

Mr. SCHINE. Yes. Roughly a year?

Mr. LOVENSTEIN. It was short of a year, yes,

Mr. SCHINE. And when you worked for them, did you handle government projects?

Mr. LOVENSTEIN. No, sir, I didn't.

Mr. SCHINE. Did they handle work for the government?

Mr. LOVENSTEIN. Yes, sir, they did.

Mr. SCHINE. But you had no connection with the work they handled for the government?

Mr. LOVENSTEIN. No, sir, I didn't.

Mr. SCHINE. What were your functions in the army?

Mr. LOVENSTEIN. I was an enlisted man. I was sent to Camp Crowder, Missouri, and received my basic training there. I was there, I think, something like five weeks, and I was sent to Fort Monmouth, to the Signal School at Fort Monmouth. I went through the elements of radio, the elements of electricity, and then I was sent, on the 18th of February, 1944—I believe that is the correct date—to a camp in Pennsylvania. The name escapes me. It was a staging camp. It was outside of Sharon, Ohio. I remember that town. And from there I went to a camp at that time—I don't know whether the information is classified now or not. I wasn't supposed to give the name of the camp at that time, and I haven't been told otherwise.

Mr. COHN. In connection with the atomic project?

Mr. LOVENSTEIN. Oh, no, sir. This was a port of embarkation.

Mr. SCHINE. And what were your duties in the army?

Mr. LOVENSTEIN. I was trained as a radio repair man. I was sent over along with seventeen other enlisted personnel, two captains, and one lieutenant colonel. His name was Lieutenant Colonel Edwards. We were sent as a special detachment, and we had been led to believe that we were to be sent to the CBI. We landed in North Africa in May of 1947. We left the United States—I am sorry. I said '47. It was '44. We landed sometime late in April or early in May in North Africa, and from there we proceeded to Bombay, and then across India to Calcutta, and I was on temporary duty at an installation at Kancharapara in India—K-a-n-c-h-a-r-a-p-a-r-a—I think it is, which was nothing more than a staging area.

At that point, the eighteen in the group and the two officers were broken up, and six of us—if it is important I can make sure of that number; I am not sure whether it was six or eight-six or eight of us were sent to a tank unit, the First Provisional Tank Group. One

battalion was operating in Burma. One battalion was in reserve at Sedyia, S-e-d-y-i-a, in India. I was sent with the second battalion.

Shortly thereafter, we moved into the combat zone in Burma. We were kept in reserve.

After the war in Burma was concluded, I was sent back to the signal outfit I had been attached to, the Ninety-sixth Signal Battalion, and then after that the 988th Signal Service company. We went over the Lido and Burma Roads by truck, and I was assigned to the Northern Chinese combat area command, something like that, in Kunming, China, where I worked as a transmitter maintenance man at a radio station, servicing the Kunming command station.

I was there until, I believe, early in December 1945, when we were thrown back across the hutch to Calcutta, to Kancharapara, the staging area.

We boarded ships in Calcutta. I remember that very well. I finally came down with malaria. I had been taking atabrine. When I came off it, I got it. I came across the Pacific, landed at Portland, came across the country, and was discharged at Fort Dix, on, I believe, the 11th of February 1946.

Mr. SCHINE. What was the name of the company you went to afterward?

Mr. LOVENSTEIN. The Hammarlund Manufacturing Company.

Mr. SCHINE. And you were there until the first part of 1947?

Mr. LOVENSTEIN. Yes. Then I went to work for the Pilotless Planes Division of the Fairchild Aviation Corporation.

Mr. SCHINE. What were your duties there?

Mr. LOVENSTEIN. My duties were as a technician, or it might have been called a junior engineer, in the development of test equipment for their product.

Mr. SCHINE. They did work for the army?

Mr. LOVENSTEIN. For the navy.

Mr. SCHINE. And some of it was classified work?

Mr. LOVENSTEIN. That is why I said, "product," yes, sir.

Mr. SCHINE. How long were you at this job?

Mr. LOVENSTEIN. I was there until some time late in the summer. I don't remember the exact date. A strike was called.

Mr. SCHINE. Yes?

Mr. LOVENSTEIN. I had very mistakenly joined the union at the time the strike was called. I, along with what I thought was a majority of the people working in the department, went out. I don't recall exactly how long I was out. It was something over two weeks, I believe. I became disillusioned.

Mr. SCHINE. What was the name of the union?

Mr. LOVENSTEIN. I don't know. I believe it was associated with the CIO. I will give you a little information later on.

I became disillusioned, as I say. Things weren't happening as we were led to believe they would happen. I was embarrassed. I didn't want to go back in, because it just is an embarrassing situation.

I wasn't quite satisfied with the work I had been doing. I wasn't learning anything. I didn't feel my capacities were being utilized.

Mr. SCHINE. So what was your next position?

Mr. LOVENSTEIN. The next position I had was with the Automatic Machine Winding Company, in East Newark, New Jersey.

Mr. SCHINE. What were the dates, roughly, that you worked there?

Mr. LOVENSTEIN. I believe this is pretty specific. It was the first two complete weeks in November of 1947.

During the course of the strike, after I stopped going out to Long Island, I put applications in to various companies. One was to the Automatic Machine Winding Company in East Newark.

Mr. SCHINE. Then you left there. And where did you go from there?

Mr. LOVENSTEIN. I accepted a position at the Fort Monmouth Laboratories. I had previously put the application in.

Mr. SCHINE. And when did your work begin at the Fort Monmouth laboratories?

Mr. LOVENSTEIN. The 17th of November, 1947.

Mr. SCHINE. I see. When you took work with Fort Monmouth, would you give the committee the names of the references you used?

Mr. LOVENSTEIN. I can't be sure. This was several years ago.

Mr. SCHINE. State the names that you might have used.

Mr. LOVENSTEIN. I might have used the names of people near the family. I believe I used the name of a very close friend, Professor Louis Rosenthal. I might have used one of my previous employers' names, Mr. B. J. Garfunkel, who I had worked for during the summer. I might have used the name of Mr. Samuel Bloomfield, who I had worked for part time, while I was still in college. I might have used the name of a cousin, Mr. Moses—we call him "Bub"—Solomon. I might even have used someone's name I knew at that time in the army. I don't know.

Mr. SCHINE. Did you ever work at Aberdeen Proving Grounds?

Mr. LOVENSTEIN. Yes, I did, sir.

Mr. SCHINE. Where is this located?

Mr. LOVENSTEIN. This is at Aberdeen, Maryland.

Mr. SCHINE. When did you work there?

Mr. LOVENSTEIN. I worked there on two separate occasions, actually. There were some classified tests which we were involved with.

Mr. SCHINE. When you say "we," whom do you mean?

Mr. LOVENSTEIN. This is a group of actually, I didn't work for the Aberdeen Proving Grounds. I worked for the Signal Corps, and part of the work was at Aberdeen. I had people down there from my subsection.

Mr. SCHINE. When was this?

Mr. LOVENSTEIN. The first time I believe was a visit, a one-day visit, with Mr. Ducore and Mr. Edward Storck.

Mr. SCHINE. Would you spell the second name?

Mr. LOVENSTEIN. S-t-o-r-c-k, Edward.

Mr. SCHINE. When was this?

Mr. LOVENSTEIN. This was, I believe, either in late October or November of 1950. I might be a year off.

Mr. SCHINE. You visited Mr. Storck and Mr. Ducore in the Aberdeen Proving Ground.

Mr. LOVENSTEIN. There might have been someone else with me. I am not sure.

Mr. SCHINE. To do some work there? How long were you there?

Mr. LOVENSTEIN. Just that one day. There had been a conference in Washington which Mr. Ducore had attended, and he came back with certain information, and a directive or an authorization to work directly with the people at Aberdeen. The people's names——

Mr. SCHINE. Where was the conference in Washington?

Mr. LOVENSTEIN. I assume the Pentagon. I don't know.

Mr. SCHINE. Do you know with whom the conference was?

Mr. LOVENSTEIN. No, sir, I don't.

Mr. SCHINE. Was Colonel Stoner head of the Signal Corps at that time? Or General Stoner; I am sorry.

Mr. LOVENSTEIN. I have never heard the name, sir.

Mr. SCHINE. Proceed.

Mr. LOVENSTEIN. I don't know who was the head at that time.

Mr. SCHINE. So you say Ducore came back from Washington with an authorization to go down to——

Mr. LOVENSTEIN. An authorization to work directly with the people at Aberdeen, I am trying to think of the civilian's name at Aberdeen and the colonel's name. It was a Lieutenant Colonel Hiester.

Mr. SCHINE. What was Ducore's job at that time?

Mr. LOVENSTEIN. At that time, I believe Mr. Edwards was still section chief and Mr. Ducore was deputy section chief in the radar section.

Mr. SCHINE. And it was routine for him to be in Washington and come back with an authorization to go down to Aberdeen Proving Grounds?

Mr. LOVENSTEIN. Yes, sir.

Mr. SCHINE. And what was the second occasion you went to the Aberdeen Proving Grounds?

Mr. LOVENSTEIN. The second occasion was the day we brought equipment down to the Proving Grounds in order to take part in these classified tests.

Mr. SCHINE. And what was the timing?

Mr. LOVENSTEIN. I believe it was sometime in December of 1950.

Mr. SCHINE. This was shortly thereafter, or in the matter of weeks?

Mr. LOVENSTEIN. Yes, sir. The first meeting was merely to make introductions and get the thing started.

Mr. SCHINE. And Mr. Ducore went with you again?

Mr. LOVENSTEIN. I am not sure whether he was with us the first day or the first week or the first month, but I know he did go down. He did visit.

Mr. SCHINE. Who else was with you there?

Mr. LOVENSTEIN. I had several people, Mr. Edward Storck was detailed as the man responsible at the place. Mr. Ralph Dunn participated, and Mr. Brendan—I believe that is right—B-r-e-n-d-a-n T-h-i-n-k-h-a-u-s. The "h" I am not sure of. Mr. Michael Meszaros, M-e-s-z-a-r-o-s, went down as a technician and returned very quickly. He just went down to make an installation. There were several photograph people who went down; Duke—I don't know his first name other than that—Southard, S-o-u-t-h-a-r-d, and Charles Ferris, F-e-r-r-i-s. They were there a very short time. And then I had a number of enlisted personnel from the Signal Corps Development Detachment who were assigned to the job.

Do you want the names?

Mr. SCHINE. I imagine the first visit you made to Aberdeen was to line up some work you were going to do, and the second time you went down you brought the equipment with you to carry out this work?

Mr. LOVENSTEIN. Yes, sir.

Mr. SCHINE. How long were you at Aberdeen when you went there?

Mr. LOVENSTEIN. I personally was there several days. I don't know whether it extended over a weekend or not. It was several days. If you wish, I can look my records up and give you the information.

Mr. SCHINE. Did you ever take or order taken a picture of an atomic cannon at Aberdeen?

Mr. LOVENSTEIN. I had a photographer requested to take pictures of our equipment there.

Mr. SCHINE. Who was the photographer?

Mr. LOVENSTEIN. Leo Fary, F-a-r-y.

Mr. SCHINE. Yes?

Mr. LOVENSTEIN. I did not give any specific instructions to take any pictures of any equipment other than ours.

Mr. SCHINE. The pictures were taken?

Mr. LOVENSTEIN. Yes, they were.

Mr. COHN. Well, did you ask anyone to take a picture of an atomic cannon?

Mr. LOVENSTEIN. I did not ask for any pictures other than our own, no, sir.

Mr. COHN. Do you know the instance to which I am referring?

Mr. LOVENSTEIN. I believe I do.

Mr. COHN. Tell us about it.

Mr. LOVENSTEIN. I believe Mr. Fary took some pictures of overall equipment suits, which involved a picture in the background of the cannon, and specifically a 16-millimeter—I am not sure of that; I don't know whether it was 35 or 16; I saw 16-millimeter prints—but I know a picture was taken of the atomic weapon being fired. There were various scenes, background scenes, of other equipment, showing the shells, the loading facilities, the towers.

Mr. COHN. Had you asked that that film be delivered to you?

Mr. LOVENSTEIN. I asked that a film be delivered. I didn't know what was in the film when I asked to have it delivered.

Mr. SCHINE. You didn't know what was in the film?

Mr. LOVENSTEIN. Not when I asked to have it delivered. I asked for the film Mr. Fary was asked to take, yes.

Mr. SCHINE. Why did you ask for the film?

Mr. LOVENSTEIN. It was our film that we sent a photographer down for, to take pictures of our equipment.

Mr. COHN. Was that picture supposed to include the workings of this atomic cannon?

Mr. LOVENSTEIN. No, sir.

Mr. COHN. That was a highly-classified thing, wasn't it?

Mr. LOVENSTEIN. It was secret, yes.

Mr. COHN. Now, did you know that the atomic cannon was down there?

Mr. LOVENSTEIN. Yes, sir, I did.

Mr. COHN. You had no idea that the pictures had been taken of it?

Mr. LOVENSTEIN. I wasn't there when the pictures were taken.

Mr. COHN. Oh, I know you weren't there. Didn't you know that they were taking the pictures of this atomic cannon?

Mr. LOVENSTEIN. I didn't know until after I had seen the film.

Mr. COHN. What happened after you had seen the film?

Mr. LOVENSTEIN. After we had seen the film——

Mr. SCHINE. Who is "we"?

Mr. LOVENSTEIN. The people in the section who were working on the project. By the way, these films were sent through the clearance people at Aberdeen.

Mr. COHN. What finally happened to the film?

Mr. LOVENSTEIN. These films were used in secret tours.

Mr. COHN. With the atomic cannon?

Mr. LOVENSTEIN. Yes, the picture of the cannon was shown.

Mr. COHN. Was there ever any objection made by G-2 to the use of the film with this picture of the cannon?

Mr. LOVENSTEIN. There was one objection, which was voiced to me, and we thereupon withdrew this film from the tours. We did not show it for some time, and then we got permission again to show the film.

Mr. SCHINE. You had several copies of the film both times?

Mr. LOVENSTEIN. No, sir, I only know of one copy of the film. I am sorry. There was an original, which is really a negative, and a print.

Mr. SCHINE. And you were asked to turn over one copy to G-2. Is that not true?

Mr. LOVENSTEIN. I wasn't asked personally. We did give this film—I was asked to give this film to the branch. I don't know what happened to the film.

Mr. SCHINE. You took charge of this film once it had been taken? Who was responsible for it?

Mr. LOVENSTEIN. This film was regarded as secret material.

Mr. JONES. Who is Harold Fary?

Mr. LOVENSTEIN. Leo Fary?

Mr. JONES. Who is Leo Fary?

Mr. LOVENSTEIN. He is a photographer who works in the Photographic Section of the Reproduction Branch.

Mr. COHN. Who gave him instructions as to what to take?

Mr. LOVENSTEIN. I wrote a work order out requesting him to take pictures of the scope and our equipment.

Mr. COHN. Did you discuss it with him personally before he went, in addition to this written order?

Mr. LOVENSTEIN. I believe I did, yes.

Mr. COHN. Where is Mr. Fary now?

Mr. LOVENSTEIN. To the best of my knowledge, he is still at Evans.

Mr. SCHINE. Now, who took charge of this film, once you had it? Who showed it? Who showed the film?

Mr. LOVENSTEIN. I was responsible for showing the film.

Mr. SCHINE. You had the film for how long a period?

Mr. LOVENSTEIN. I believe we still have it.

Mr. SCHINE. You still have access?——

Mr. LOVENSTEIN. I have it in the section.

Mr. SCHINE. You still have access to it if you need it?

Mr. LOVENSTEIN. I don't any longer.

Mr. SCHINE. This film was shown where?

Mr. LOVENSTEIN. This was shown in demonstrations and tours to people visiting the laboratory who had secret clearance.

Mr. SCHINE. Was it shown very often? When was the last time it was shown?

Mr. LOVENSTEIN. I would say about two months ago.

Mr. SCHINE. Two months ago?

Mr. LOVENSTEIN. I can't be sure of that. If you want that date, I believe I have records that will show that.

Mr. SCHINE. Now, did you do anything else while you were down at Aberdeen? I don't believe you told us how long you stayed on there.

Mr. LOVENSTEIN. I wasn't sure how long I stayed there. I wasn't sure the first time whether I was there more than a week or not.

Mr. JONES. Mr. Lovenstein, who gave you the orders to take pictures of this atomic cannon?

Mr. LOVENSTEIN. No one. I didn't give orders to take pictures of the atomic cannon.

Mr. JONES. You just gave orders to have pictures taken.

Mr. LOVENSTEIN. Of our equipment.

Mr. JONES. Of your equipment.

Mr. LOVENSTEIN. Yes, sir.

Mr. JONES. And evidently among your equipment, then, was this atomic cannon.

Mr. LOVENSTEIN. No, sir.

Mr. JONES. How did they take the pictures of the atomic cannon?

Mr. LOVENSTEIN. I wasn't the photographer.

Mr. JONES. I am actually amazed that they are showing some of our latest military equipment to tour groups.

Mr. LOVENSTEIN. This film was not shown, to my knowledge, prior to the disclosure of pictures of the atomic weapon.

Mr. JONES. Now, who would attend these showings? Who would attend them? You said people who had clearance.

Mr. LOVENSTEIN. Secret clearance, yes, sir.

Mr. JONES. For example, who would that be?

Mr. LOVENSTEIN. These would be people from Washington, VIP's or officers, field grade officers, technical working groups, panel members. I was instructed, in disposition form, to show material, not specifically but up to and including secret. It was then up to my discretion to make the tour interesting, to make it informative, and to make it publicize the work of the laboratories and present the work of the laboratories.

Mr. JONES. Now, you say Leo Fary is still out there, to the best of your knowledge?

Mr. LOVENSTEIN. Yes, sir, he is.

Mr. JONES. Does he do all the official photography?

Mr. LOVENSTEIN. Not all.

Mr. JONES. How long has he been there?

Mr. LOVENSTEIN. He has been there as long as I remember. I couldn't say.

Mr. JONES. How long would that be?

Mr. LOVENSTEIN. I would say for sure two, three, or four years.

Mr. COHN. When did you see him last?

Mr. LOVENSTEIN. I can't be sure. A couple of months ago.

Mr. JONES. A couple of months ago. His developing place is right on the plant, the premises out there?

Mr. LOVENSTEIN. No, sir, I don't believe they develop out there. I believe they send the material to Astoria.

Mr. JONES. To Astoria?

Mr. LOVENSTEIN. Yes.

Mr. SCHINE. Where in Astoria?

Mr. LOVENSTEIN. That is to my knowledge. I don't know for sure.

Mr. COHN. It is the Signal Corps Traffic Center.

Mr. JONES. And then the film was returned to you?

Mr. LOVENSTEIN. Not to me, no, sir.

Mr. JONES. You asked for the film to be returned to you, though?

Mr. LOVENSTEIN. It was returned from Astoria to the Reproduction Branch. And then I signed for it.

Mr. JONES. You signed for the film?

Mr. LOVENSTEIN. Yes, sir. I did at one time.

Mr. JONES. What was the purpose of signing for it? To acknowledge receipt for it?

Mr. LOVENSTEIN. To acknowledge receipt for it and have it transmitted to our section, the Radar Equipment Section.

Mr. JONES. And then did you have a showing made of that film for your own use?

Mr. LOVENSTEIN. I didn't have another copy made. We showed that copy. This film was returned—here is some more information—it was returned to the Reproduction Section for editing. Various portions were taken out which did not pertain to the gun—to the radar; I am sorry. To our equipment. And we do have a copy now, which has been cut quite a bit in order to improve the showing quality.

Mr. JONES. Mr. Lovenstein, how do you explain the fact that a picture of an atomic cannon is taken in the course of taking pictures of your own equipment? I can't seem to piece that together logically in my own mind.

Mr. LOVENSTEIN. Because of the connection with our equipment, with the weapon.

Mr. COHN. It certainly shouldn't have been on the film. Isn't that right?

Mr. JONES. You instructed Leo Fary, as I understood it, to go out and take these pictures?

Mr. LOVENSTEIN. Pictures of our equipment. And by "our" I mean Signal Corps equipment.

Mr. JONES. It turns out that after the film has been completed, amongst your equipment we find an atomic cannon or at least a picture of it, being taken on that same roll of film.

Mr. LOVENSTEIN. Yes.

Mr. JONES. How do you explain that?

Mr. LOVENSTEIN. The pictures were taken. I wasn't there to point the camera.

Mr. JONES. I can't understand that.

Mr. SCHINE. You must have discussed this with Fary.

Mr. LOVENSTEIN. When the pictures came back, they were good viewing. They were good shots.

Mr. SCHINE. Regardless of the quality of the shots for a minute—

Mr. LOVENSTEIN. I am trying to say something of the value of the over-all program. Pictures of our equipment alone did not put over the idea of the project.

Mr. JONES. What was your equipment? What equipment, in particular, was photographed?

Mr. LOVENSTEIN. I can tell you generally. It was radar equipment.

Mr. JONES. Radar equipment in general?

Mr. LOVENSTEIN. Yes. I can tell you more specifically.

Mr. JONES. May I ask you, Mr. Lovenstein: Is it possible that someone else may have given Fary orders to take pictures of this atomic cannon?

Mr. LOVENSTEIN. If they did, I don't know it. It is possible.

Mr. JONES. Then how do you explain that he took the picture of that cannon?

Mr. LOVENSTEIN. How do I explain he took the picture?

Mr. JONES. Yes.

Mr. LOVENSTEIN. I can't explain it.

Mr. JONES. Why did he take it, then?

Mr. LOVENSTEIN. I wasn't there when he took the picture.

Mr. COHN. What was his explanation to you?

Mr. LOVENSTEIN. He didn't explain it.

Mr. JONES. Did you ask him to?

Mr. LOVENSTEIN. No, sir.

Mr. COHN. Well, that is almost incredible. Here is a man who goes down to take pictures of your equipment. He comes back, and the film not only includes pictures of your equipment, but what at least has been denominated in official reports as one of the most sensitive and highest classified weapons, atomic weapons. G-2 gets excited about this. And you say you didn't even ask your photographer how he happened to take those pictures?

Mr. LOVENSTEIN. I wasn't the first one to see those films.

Mr. COHN. Well, that you gave your man instructions to take pictures is one thing.

Mr. LOVENSTEIN. I did.

Mr. COHN. He comes back and, having gotten his original orders from you, he takes pictures not only of this highly secret atomic weapon, but of it in actual operation, as I understand.

Mr. LOVENSTEIN. I believe there were shots of it close up. I didn't see those shots.

Mr. COHN. You didn't even ask him, "Why in God's name do you have this on the film? That isn't supposed to be there." Wasn't that a perfectly logical topic of discussion between you?

Mr. LOVENSTEIN. It should have been, yes, sir.

These films—I don't pass on the clearance of these films or on their security. These films did not come directly from Aberdeen by Mr. Fary to me. They passed through the clearance people at Aberdeen. If the Aberdeen people saw fit to give these films to the Signal Corps engineering laboratories and have a secret classification

assigned to them, I wasn't to question their clearance. I wasn't to question their work.

Mr. SCHINE. Mr. Lovenstein, quite a bit of trouble developed over this incident, didn't it?

Mr. LOVENSTEIN. I don't know. I know that the film was withdrawn from the tours.

Mr. JONES. The question is how it ever got out there in the first place.

Mr. LOVENSTEIN. As I say, I wasn't the one responsible for releasing these films to the Signal Corps.

Mr. SCHINE. You know that certain individuals got into trouble on account of this incident, don't you?

Mr. LOVENSTEIN. No, sir, I don't.

Mr. RAINVILLE. Getting back to Mr. Cohn's question as to whether or not you questioned him or did not question him about taking the pictures, weren't you at all concerned that you might catch hell from somebody for having the picture taken, since he was operating under your orders that day?

Mr. LOVENSTEIN. No, sir, because my superior saw those pictures.

Mr. COHN. Who were your superiors?

Mr. LOVENSTEIN. I have many superiors.

Mr. COHN. Mr. Ducore?

Mr. LOVENSTEIN. He was my immediate superior, yes.

Mr. COHN. And he thought it was all right?

Mr. SCHINE. You don't remember the officer in Washington of the Signal Corps who authorized Mr. Ducore to go to Aberdeen and make this project?

Mr. LOVENSTEIN. No, sir, I don't.

Mr. SCHINE. Is it true that the project basically was to take photographs and show how we might intercept enemy aircraft or enemy attack by use of radar and guided missiles?

Mr. LOVENSTEIN. Is this going to be one of a series of questions eliminating all but one? If so, I can't answer it.

Mr. SCHINE. This was going to be a demonstration film, wasn't it?

Mr. LOVENSTEIN. This was to be a record of our activity on the project and was to contain film strips of the data recorded. Mr. Fary was instructed to take pictures of the scope presentation. In radar work, you have a presentation on an oscilloscope, and he was to take pictures of that scope. And the pictures we took—I will give credit to Mr. Fary—were excellent. They were an excellent reproduction of our data.

Mr. SCHINE. Now, the thing I am concerned about is the method by which Mr. Ducore was sent to Washington and came back with the authorization to go to Aberdeen. You say that was a routine procedure, even though he was an assistant in one of the departments. Wasn't he responsible to somebody at Fort Monmouth?

Mr. LOVENSTEIN. Yes, sir.

Mr. SCHINE. Who would normally get the orders from Washington?

Mr. LOVENSTEIN. Yes, sir.

Mr. SCHINE. How does it happen that an assistant chief goes to Washington and comes back with an authorization in his hand to go out on something like this?

Mr. LOVENSTEIN. I don't know if he went alone. I believe I stated that before, Mr. Ducore, however, is a very capable person, and in many cases he has led the section. He hasn't been supervised technically.

Mr. COHN. Who is supposed to supervise it?

Mr. LOVENSTEIN. Mr. Evers at the time.

Mr. COHN. Mr. James T. Evers?

Mr. LOVENSTEIN. Yes, sir.

Mr. COHN. Was Mr. Coleman in that section, too?

Mr. LOVENSTEIN. No, sir.

Mr. COHN. Now, because of Mr. Ducore's great capabilities would he have more authority than someone ordinarily holding the position of assistant?

Mr. LOVENSTEIN. Yes, sir. May I clarify that?

Mr. COHN. Sure.

Mr. LOVENSTEIN. He was held in high esteem by all the people he worked with, who worked for him, who he worked for I believe his opinion technically was well valued.

Mr. COHN. Did you know Mr. Ducore personally, by the way?

Mr. LOVENSTEIN. I first became acquainted with Mr. Ducore early in 1948. I was assigned to the Radar Equipment Section late in 1947.

Mr. COHN. Have you known him socially since that time?

Mr. LOVENSTEIN. I have been to his house once. We played cards one evening.

Mr. COHN. And when did you last see Mr. Ducore?

Mr. LOVENSTEIN. Last night.

Mr. COHN. Pardon me?

Mr. LOVENSTEIN. Last night.

Mr. COHN. I see. That was socially?

Mr. LOVENSTEIN. No, sir. I was at a lawyer's office, and Mr. Ducore came into the same office.

Mr. COHN. Where was that?

Mr. JONES. What lawyer was it?

Mr. LOVENSTEIN. This was Mr. Ira Katchen.

Mr. RAINVILLE. Discussing this appearance here?

Mr. LOVENSTEIN. Yes, sir,

Mr. RAINVILLE. You thought you needed the advice of counsel?

Mr. LOVENSTEIN. No, sir, I was asked if I would like to appear at Mr. Katchen's office.

Mr. RAINVILLE. Mr. Katchen is your private attorney, not connected with the Signal Corps?

Mr. COHN. Let me see if I understand. By whom were you asked that?

Mr. LOVENSTEIN. By Mr. Alan Gross, A-l-a-n S-t-e-r-l-i-n-g G-r-o-s-s.

Mr. COHN. He asked you if you would like to go to this lawyer's office?

Mr. LOVENSTEIN. Mr. Gross indicated yesterday that Mr. Katchen had called him or gotten in touch with him in some way and said that there would be a meeting of those people who have

been suspended or uncleared in his office at 3:30 yesterday afternoon, and asked if I would like to attend.

Mr. COHN. Now, I don't understand that. You mean this lawyer is just organizing the——

Mr. RAINVILLE. Volunteers?

Mr. COHN. Is that the substance? Who was present at this meeting? You were there, and Mr. Ducore was there, and Mr. Gross, I assume?

Mr. LOVENSTEIN. Yes, sir.

Mr. COHN. Who else?

Mr. JONES. Jerome Corwin?

Mr. LOVENSTEIN. No, sir. I don't see anything wrong with telling who they were. I am not violating any confidence, I am sure. Mr. William Goldberg.

Mr. COHN. Mr. William P. Goldberg?

Mr. LOVENSTEIN. I don't know his middle initial. Mr. Alfred Lapedo, L-a-p-e-d-o. I am not sure of the spelling of the last name. A gentleman whom I had seen before but I didn't know, Mr. Jerry, I believe, Rothstein.

Mr. COHN. Jerome Rothstein. Right?

Mr. LOVENSTEIN. I heard the name "Jerry."

Mr. COHN. Yes, sir?

Mr. LOVENSTEIN. I am going around in a circle, I sat next. And then Willie Goldberg; Harold Ducore; it is either Brodie or Brophy, and I believe the first name is Ed. I am not sure. And Mr. Bob Martin.

Mr. JONES. That is Bernard Martin, isn't it?

Mr. LOVENSTEIN. Bob.

Mr. COHN. Bernard Martin?

Mr. LOVENSTEIN. I really don't know.

Mr. JONES. That is all that were there?

Mr. LOVENSTEIN. That is all I recollect, yes, sir.

Mr. JONES. What is that lawyer's name, again?

Mr. LOVENSTEIN. I have his card, if you would like to see it. He gave it to me last night. Ira J. Katchen, K-a-t-c-h-e-n.

Mr. SCHINE. Whose lawyer is he of this group?

Mr. LOVENSTEIN. I don't know.

Mr. JONES. Now, how did this organization, this meeting come about?

Mr. LOVENSTEIN. As I say, Mr. Gross was informed that Mr. Katchen was going to have the meeting.

Mr. JONES. And what was the purpose of Mr. Katchen's holding the meeting? Who enlisted his services?

Mr. LOVENSTEIN. I don't know.

Mr. JONES. What did they say at the meeting?

Mr. LOVENSTEIN. He reviewed whatever we knew about the situation. To me it was a great help, very frankly, because all of the problems were discussed. And when you have a chance to talk to somebody, when you don't know what is going on—if you have a chance to talk to anybody, it helps, believe me.

Mr. COHN. Let me make it very clear in the record at this point. Obviously, you or anybody else called before the committee has an absolute right to counsel. As a matter of fact, when you are called, in executive session or in public session—when I say "you," I mean

anybody; I don't know that you will be called—you have a right to have counsel with you to obtain his advice at any time. We are not concerned with any confidential communications between counsel and client in any way.

It does seem rather unusual, I mean, if a sort of mass meeting is being called.

Mr. LOVENSTEIN. The sound of "mass meeting" doesn't sound good. It was a meeting, however.

Mr. JONES. There was no mention of any fee?

Mr. LOVENSTEIN. No, sir, there wasn't.

Mr. JONES. In other words, Mr. Katchen just called you all together because you had one thing to discuss and you wished to discuss it in common at that time?

Mr. LOVENSTEIN. Yes, sir.

Mr. JONES. What other matters were discussed, in terms of future procedure?

Mr. LOVENSTEIN. He told me if I had any problems I should get in touch with him. There was another lawyer who appeared, a Mr.—I believe it was Harry Green.

Mr. JONES. Mr. Harry Green?

Mr. LOVENSTEIN. I am not sure of the first name.

There were two Greens mentioned. He was one of them. Actually he was Mr. Ducore's lawyer.

Mr. JONES. And an associate of Katchen's?

Mr. LOVENSTEIN. They were on speaking terms. They knew one another.

Mr. JONES. I mean, in the same law firm?

Mr. LOVENSTEIN. I don't think so.

Mr. JONES. So, you were saying about discussing the problems, and so forth—

Mr. LOVENSTEIN. Yes. After the meeting broke up—well, the rest of the meeting had to do with what problems each of us had, what our experiences had been in the past, what we thought this hearing was going to consist of, what might have brought it about, a general airing of all the complaints and all the feelings of the people concerned.

At the conclusion of the meeting, Mr. Green asked me to stay, since I was the only one who was in the group yesterday who was going to appear today. Mr. Green asked me to give my background to him, any questions I had. I told him I think exactly what I have told you, except for the classified material. I never thought that this Aberdeen question would come up. I discussed my background, my family connections, the people I knew, anything that I thought might come up today.

Mr. COHN. What did you say you thought might come up today?

Mr. LOVENSTEIN. The strike at Fairchild. This is something I am ashamed of. I am sorry it ever happened. The fact that I once had a subscription to *Consumer Reports*.

Mr. COHN. How about that?

Mr. LOVENSTEIN. I don't have it. I didn't have it as soon as the subscription ran out, when I found it was on the subversive list or on a list published by the attorney general.

Mr. COHN. You had that subscription for more than a year didn't you?

Mr. LOVENSTEIN. I believe I renewed it once. I am not sure.

Mr. COHN. What were the years?

Mr. LOVENSTEIN. I don't know. '46 or '47, probably. It was way back.

Mr. COHN. Who asked you to subscribe to *Consumer Reports*?

Mr. LOVENSTEIN. I am not sure whether I had a subscription to it before I came with the laboratories or not. You probably have the records on that. I believe I did. I am not sure.

Mr. JONES. Who asked you to subscribe to it?

Mr. LOVENSTEIN. While I was at the laboratory a group subscription was taken up. I remember two people. I am not sure which one I actually gave my subscriptions to. There was Mr. Ed Storck, the man I mentioned before, S-t-o-r-c-k. I don't know if he got the subscription up. It was a group plan. There was a cheaper rate.

Mr. JONES. Who is Ed Storck?

Mr. LOVENSTEIN. He is a very capable person, who works for me.

Mr. JONES. You say he works for you?

Mr. LOVENSTEIN. He worked for me.

Mr. COHN. You say he worked for you?

Mr. LOVENSTEIN. He worked for me.

Mr. COHN. Where were the other persons?

Mr. LOVENSTEIN. Mr. Arthur T. Hood, H-o-o-d, who at that time I had practically nothing to do with. He was in another section at the time. But I remember he did come around.

Mr. JONES. What does he do today?

Mr. LOVENSTEIN. He is in the Mechanical Engineering Section. I have had many contacts with him recently.

Mr. JONES. What have been your relations?

Mr. LOVENSTEIN. He is the mechanical engineer assigned to the projects I am responsible for.

Mr. COHN. Now, are there any other matters which you want to call to our attention?

Mr. LOVENSTEIN. You mean things that I feel are against me?

Mr. RAINVILLE. Well, we are not trying you, here, you know.

Mr. LOVENSTEIN. Well, I had a guilty conscience. I do have a curious conscience, and it keeps me awake at nights. I don't know why my clearance was removed. I wish, indeed I do, that I were suspended and I were given a statement of charges. At least then I would know what I am supposed to be accused of. But this way I don't know what the charge are. So all these possibilities keep going through my mind.

Mr. JONES. What are these other possibilities?

Mr. LOVENSTEIN. *Consumer Reports*, the strike—

Mr. JONES. That is the strike at Fairchild?

Mr. LOVENSTEIN. Yes, sir—my association with Ducore, the fact that an FBI agent came around maybe six months ago and asked me if I knew Aaron Coleman. He asked me if I knew Mr. Yamins. He asked me if I knew that the strike at the Fairchild Corporation was sponsored by a Communist organization. I told him that I didn't, and that was the first knowledge I had of it. And believe me, that made me very much ashamed that I had been a part of it.

Mr. JONES. And those are all the possibilities?

Mr. LOVENSTEIN. No, sir, there are two others.

Mr. SCHINE. Will you state them, please?

Mr. LOVENSTEIN. As a project engineer in the Radar Equipment Section, I was responsible for getting work out. I was a little too conscientious, and I reprimanded someone one day—as a matter of fact, a group of people—for extending their coffee break. A complaint was made, and an investigation was carried on, as far as I knew, within the section. People came to me saying that I was being investigated, and they told me why I was being investigated.

As soon as I found out, I went into Mr. Evers' office, and I told him I thought I believed there was dissension in the section, and if he believed it necessary or if he believed it was for the benefit of the section I would ask to be transferred from the section, or I requested that the person I thought was responsible for the dissension should be removed from my supervision. This happened. The man was removed.

Mr. COHN. Who was that man?

Mr. LOVENSTEIN. Mr. Albert Strom, S-t-r-o-m.

Mr. COHN. Now, what else?

Mr. JONES. The last possibility?

Mr. LOVENSTEIN. The last possibility was Mr. Marion Woodruff, W-o-o-d-r-u-f-f.

Mr. JONES. First name?

Mr. LOVENSTEIN. Marion, M-a-r-i-o-n. Marion W. Woodruff, I will have to give a history here. Sometime around 1949—I am not sure of the dates; I am not even sure of the year, but this can be verified—one of the men in the section, Mr. Daniel Goldenberg, a mathematician, was about to get married. A bachelor dinner was planned for him as a surprise at the Tides, T-i-d-e-s, Restaurant in Belmar, New Jersey. Many of the men in the section went to this dinner. It was a cooperative affair. Each one chipped in.

When I arrived at the Tides, a group of people were already there. Among the group were several colored people. And someone told me that they had been refused service at the bar, and as I got the story the bartender said that they wouldn't serve these colored people at the bar but they would serve them in the dining room.

Oh, prior to this, Mr. Norwood had said that if the colored people weren't served, then none of us would be served.

Well, we were all served in the restaurant. The next day, Mr. Norwood came around to me and asked me if I would like to sign a letter which he had written. This letter was, I believe, to one of the senators or congressmen—I believe it was Mr. Auchincloss—relating the events at the restaurant, and in essence saying that the management of the Tides had showed discrimination, and so on.

The event, as written by Mr. Norwood, was true, I signed the letter.

Everyone at the meeting signed the letter except Mr. Woodruff. Shortly thereafter, Mr. Evers called me into his office and asked me if I had signed the letter. I said I had. He reprimanded me, not for signing the letter, but for signing the letter on government property. I acknowledged the fact that this was an error. I shouldn't have done that. The facts of the letter were true.

Very shortly after that, I became convinced that Mr. Woodruff was the instigator of an investigation which led to this reprimand. Nothing happened.

Mr. RAINVILLE. Were you the only one reprimanded?

Mr. LOVENSTEIN. No, sir. I don't have evidence that everyone was. I know I was.

Mr. RAINVILLE. You know some of the others were, and you assume they all were?

Mr. LOVENSTEIN. That is a fair statement, yes.

Mr. JONES. How well do you know Bob Martin?

Mr. LOVENSTEIN. I saw Mr. Bob Martin last night, and to the best of my recollection on three previous occasions. I was sitting outside this morning, realizing that I would be asked this, and I thought back, when I met him and where I saw him. The first occasion I saw him, and I believe I was introduced, was at Evelyn's, an eating place in Belmont. I didn't sit at the same table with him. I don't know if I even shook his hand. It was just an acknowledgment that I was introduced. The next time I saw him, I was at Watson Laboratories visiting someone else, and I was walking down the hall, and I saw him, and I nodded an acquaintance. I recognized his face, as having seen him before.

Another time was at another restaurant. I was eating with someone else, and he was at another table. I said, "Hello," just a nodding "hello," and that was all. Except at that time I remember both parties went out to the street at the same time, and he had just bought either a Kieser or a Frazer, and there were some comments as to the quality of the car. I know that Mr. Martin has been suspended. I learned this in the last few days, when everybody has been talking about these things. I know nothing else about him, other than that he was suspended. He was in isolation with Mr. Coleman.

Mr. JONES. Who introduced you to him?

Mr. LOVENSTEIN. I don't know who actually made the introduction. I was eating at that time, I believe, with Mr. Howard Moss, M-o-s-s, who had changed his name, I believe it was Moshensky, M-o-s-h-e-n-s-k-y, and he worked at Monmouth.

Mr. JONES. He is in the agency?

Mr. LOVENSTEIN. Yes, he is now up at Procurement Maintenance Engineering at Watson.

Mr. COHN. Do you know a man named Ullmann?

Mr. LOVENSTEIN. Who?

Mr. COHN. Ullmann.

Mr. LOVENSTEIN. What was the first name?

Mr. COHN. I am not giving you one.

Mr. LOVENSTEIN. My AP teacher in elementary school was Ullmann.

Mr. COHN. No, did you ever meet a man named Ullmann in the company of Martin, that you recall?

Mr. LOVENSTEIN. No, I don't.

Mr. SCHINE. Mr. Lovenstein, you know Ducore fairly well?

Mr. LOVENSTEIN. He is my boss.

Mr. SCHINE. You know him socially, too?

Mr. LOVENSTEIN. To the extent of going to his home once and being at the same beach party.

Mr. SCHINE. Now, who was at his home when you visited his home?

Mr. LOVENSTEIN. He was alone, and his two children at that time—now he has three. He was alone, and I believe Mr. Harold Tate and I were there, and the fourth at bridge I am not sure of. It could have been Mr. Arthur Randals. It might have been Mr. Robert Acker, A-c-k-e-r. These are people I have played bridge with.

Mr. SCHINE. These are close friends of his?

Mr. LOVENSTEIN. From work. I don't know how close they are outside of work. They are close associates at work, yes.

Mr. JONES. I don't know whether you answered this question or not. Did you say you know Harold Coleman?

Mr. LOVENSTEIN. I know an Aaron Coleman.

Mr. JONES. Aaron Coleman?

Mr. LOVENSTEIN. Yes, sir.

Mr. JONES. Did you ask him about that, Roy?

Mr. COHN. Not in any detail. How well do you know him?

Mr. LOVENSTEIN. I know he was the assistant chief of the systems section of the Radar Branch. I know that he has been suspended. I didn't know exactly when or what for.

Mr. COHN. Was he at this meeting last night?

Mr. LOVENSTEIN. Last night? No, sir. I believe—I know—that someone said he was in New York avoiding newspaper people. But after reading the newspapers, I don't know if he avoided them.

How well did I know him? I can elaborate a little more. If I passed him in the hall, I would recognize him, and I don't think he would recognize me. I know he shared a house with Mr. Ducore.

Mr. SCHINE. Did you know Julius Rosenberg?

Mr. LOVENSTEIN. No, sir. If this is that Julius Rosenberg I think it is, no, sir.

Mr. SCHINE. Did you know Morton Sobell?

Mr. LOVENSTEIN. No, sir; I knew a Sobel, S-o-b-e-l. I believe I played football with him. But not a Sobell.

Mr. RAINVILLE. In attending this meeting last night, and having been invited by an attorney, and there being two or three attorneys there—

Mr. LOVENSTEIN. Two, sir. Excuse me. There were three. I didn't get the third man's name. But he was associated with Mr. Katchen.

Mr. RAINVILLE. I thought you said there was a Harry Green.

Mr. LOVENSTEIN. And Katchen. I am not sure it was Harry Green. One Green was mentioned.

Mr. RAINVILLE. Wasn't Gross the attorney?

Mr. LOVENSTEIN. No, sir. Alan Sterling Gross.

Mr. RAINVILLE. Then a couple of attorneys were there. Don't you wonder who is paying the bill?

Mr. LOVENSTEIN. I know who is paying the bill.

Mr. RAINVILLE. Oh, I thought you said you didn't know about that.

Mr. LOVENSTEIN. I know who is.

Mr. COHN. Who is?

Mr. LOVENSTEIN. The B'nai B'rith Society, I know. This has been indicated.

Mr. JONES. The B'nai B'rith?

Mr. LOVENSTEIN. Yes.

Mr. RAINVILLE. The Anti-Defamation Society, you think?

Mr. LOVENSTEIN. I heard the society mentioned. I don't think they have been called in.

Mr. COHN. Has any specific name been mentioned in connection with B'nai B'rith?

Mr. LOVENSTEIN. Yes, sir. If you mention them, maybe I can give a recollection. I remember hearing names.

Mr. RAINVILLE. So you knew that before you went? Or did you find that out when you got to the meeting?

Mr. LOVENSTEIN. I heard it mentioned before.

Mr. COHN. Through whom was this arranged? Which one of the people there?

Mr. LOVENSTEIN. Mr. Gross, as far as I know. He was the one who asked me, if I would like to go to this meeting.

Mr. COHN. Did the B'nai B'rith make the arrangements through him?

Mr. LOVENSTEIN. Yes.

Mr. RAINVILLE. The thought that runs through my mind is that maybe some of these people are more guilty than others.

Mr. LOVENSTEIN. In my mind, too.

Mr. RAINVILLE. Wouldn't you have some reluctance to associate yourself as a group with them? Would it have been better for you to see the attorney alone and go over all this?

Mr. LOVENSTEIN. I didn't discuss my personal case. I discussed nothing of my background, nothing of anyone else's background, in the presence of anyone but the two lawyers.

Mr. SCHINE. One thing that interests me, which you may be able to help us on: In listening to the discussions carried on by the others as to what problems they were going to face before this committee, what appeared to you to be the most outstanding?

Mr. LOVENSTEIN. I was going to volunteer that if you didn't ask me: A dissatisfaction with the method of investigation and the efficiency of the investigation. May I elaborate?

Mr. SCHINE. Sure.

Mr. LOVENSTEIN. I am the wrong person to get information on this from. All I can do is relate what I have heard in the last six or seven days, since last Tuesday. Prior to last Tuesday, believe it or not, I was as naive——

Mr. JONES. Who would be a good person to get this information from?

Mr. LOVENSTEIN. Mr. Alan Gross.

Mr. COHN. We have a date with him tomorrow morning.

Mr. LOVENSTEIN. By the way, when he wasn't invited among the first ones, he was going to volunteer, or the suggestion had come out that he was going to volunteer, to appear.

There are cases I have learned about in the last few days, of suspensions lasting two to two and a half years, without any action. I don't know how long my case is going to go. You probably know that I have been un-cleared. I don't know for what reason. I don't know for how long it is going to be. It is not a nice situation, and I assure you the rest of the people, as far as the outward appearances are concerned, don't like it at all. They realize this is an important investigation. They realize a lot of good can come of it. They realize a lot of good should come of it. But they are afraid, too.

Mr. RAINVILLE. May I interrupt right there to say: By that you mean there are a lot of people who feel that there are things that need to be looked into and cleared up?

Mr. LOVENSTEIN. Yes, sir.

Mr. JONES. For example?

Mr. LOVENSTEIN. The security system at Monmouth.

Mr. JONES. In particular?

Mr. LOVENSTEIN. The method of investigation, the method of carrying on investigations, the method of taking action, and the method of clearing people.

Mr. JONES. Who would be the best man to talk to?

Mr. LOVENSTEIN. I think Mr. Gross can give you excellent leads. I assure you if I can take up some of your time and introduce you to some other people, I don't know the facts, but if I can give you the rest of the people's names, I am sure you are going to find that they are cooperative and they want to clear this up.

Mr. JONES. Mr. Lovenstein, I don't know whether you know this, but nothing you say here will go outside this room. It is all in executive session.

Mr. LOVENSTEIN. I have nothing to be ashamed of.

Mr. JONES. It is just to unload your heart, more or less and it will help us immensely in proceeding.

Mr. RAINVILLE. Maybe there is one thing that can be cleared. The FBI man did not represent this committee.

Mr. LOVENSTEIN. I don't know who he represented.

Mr. RAINVILLE. Your being suspended or removed from the clearance list is not an action of this committee. As far as we are concerned, all of that is from another source. And what we are looking into is the over-all problem of both historical things that have been discussed and some things that have come before the committee, and we, too, would like to know just what it is that they are acting under. Maybe they have information we don't have.

Mr. LOVENSTEIN. I am sure they do.

Mr. COHN. I want to ask you this: What is the point of B'nai B'rith having anything to do with this?

Mr. LOVENSTEIN. There is an assumption that there is an anti-Semitic movement.

Mr. COHN. Well, that is an outrageous assumption. I am a member and an officer of B'nai B'rith.

Mr. LOVENSTEIN. I was under the same naive impression until I became aware of some facts. Excuse me for saying that.

Mr. COHN. Sure. Who made the suggestion that there is an anti-Semitic movement?

Mr. LOVENSTEIN. The rest of the people who have been suspended or un-cleared. I didn't originate it. I have heard it in the group.

Mr. JONES. This was brought out at the meeting last night?

Mr. LOVENSTEIN. This was verified at the meeting.

Mr. JONES. Who discussed, who labored on, that point last night?

Mr. LOVENSTEIN. Nobody labored on it. They discussed it. Mr. Katchen brought up some facts. In the current investigation, to the best of our knowledge—I say “our”; this is the meeting—there were fifteen people on the carpet, either suspended or un-cleared. Of the fifteen, fourteen are Jewish. The fifteenth married a Jewess.

Mr. JONES. Who is the fifteenth?

Mr. LOVENSTEIN. Dr. Daniels. You have an appointment with him, I am sure.

Mr. COHN. This is all news to me. I don't know the religion of these people, and I don't care. It doesn't matter whether out of 530 people there are 530 Jews or Catholics or Protestants.

Mr. JONES. Will you proceed now with what you were about to discuss?

Mr. LOVENSTEIN. These were the facts I got last night. I didn't investigate them. These are quotes.

Two years ago, there was supposed to be an investigation. I didn't know of the extent of it. I knew about a Mr. Barry Bernstein. I knew about a Mr. Bill Jones. I didn't realize eighteen people at the time had been involved. Eighteen were suspended. Two did not appeal at all and were just assumed to be either Communists or subversives.

Mr. JONES. Who were they?

Mr. LOVENSTEIN. I don't know. Of the remaining sixteen, fourteen were Jewish, and two were colored.

I don't know the facts. I am telling you exactly what I heard last night.

Mr. JONES. That is amazing.

Mr. LOVENSTEIN. This was from Mr. Katchen. I don't think I am violating a confidence there, either.

Mr. RAINVILLE. That is another investigation this committee had nothing to do with.

Mr. LOVENSTEIN. I realize that. This is an opportunity to clear up a lot of this. If these thoughts are in people's minds—they weren't in mine until last night, but believe me, they stayed with me—if they are in people's minds at the fort, and they are disturbing people, clear them up. Either prove it, or get them off the hook, or get the people out who are causing this dissension.

I don't know what your investigating committee is after. I have an idea. I have an idea that it is to find loose security in the government. I am not going to say whether there is loose security or whether there is too much security. Many times there is too much in the wrong places and not enough in the right places. But there is an opportunity to make an investigation and to find out where the trouble is, not to make trouble but to clear up the trouble. And believe me, you have got plenty of opportunity to do it.

Mr. COHN. Now, where is this anti-Semitic plot supposed to stem from? The suspensions—what is the reasoning behind that? I don't understand that.

Mr. LOVENSTEIN. Who the actual people are who are responsible?

Mr. COHN. Yes.

Mr. LOVENSTEIN. The only people responsible for suspensions at Fort Monmouth are the people in security.

Now, who they get their directives from, or how they act or react to recommendations, or what actions they initiate or what stories they believe, what credence they give to rumors, I don't know.

Mr. JONES. Who is the chairman of the security board at Monmouth?

Mr. LOVENSTEIN. It isn't the chairman. There is a civilian and his military counterpart. The civilian is Mr. Andrew Reid, R-e-i-d.

I would rather not give the background. I know you people can investigate that. I would rather not, because it came from one side, and it came from a biased side. I didn't make the investigation.

Mr. JONES. Had that something to do with anti-Semitism?

Mr. LOVENSTEIN. Yes, sir.

Mr. RAINVILLE. Just offhand, do you know what the percentage of employees at Evans, the percentage of Jewish employees, would be? Is it predominantly Jewish?

Mr. LOVENSTEIN. No, sir. I won't give you figures. That is classified. But I can give you a percentage. I would say 25 percent of the engineers. I don't know about the rest, but of the engineers 25 percent. And it is a large percentage that are Jewish.

Mr. JONES. Frankly, I am more interested in your ideas on the security aspects that you are critical of rather than the anti-Semitism.

Mr. LOVENSTEIN. I am not highly critical.

Mr. JONES. Or "critical"?

Mr. LOVENSTEIN. "Afraid of."

Mr. JONES. I wish you would elaborate on that a little bit, any specific examples you have.

Mr. LOVENSTEIN. People are now afraid to read secret information.

Mr. JONES. Since the new security order went into effect three months ago. Is that correct?

Mr. LOVENSTEIN. Yes, sir. I was still in the laboratory up until last Tuesday at 4:30. After that time I don't know. But approaching that time, people were reluctant—project engineers were reluctant—I was reluctant—to withdraw secret information and withdraw confidential information; not because we wouldn't gain information from it that we could use in our projects, because of the mess and the trouble of getting this information, the rigmarole, the forms you had to sign, the cautions.

Mr. JONES. The red tape?

Mr. LOVENSTEIN. The red tape. It became so unbearable that people just didn't want to do their jobs at 100 percent efficiency because of the red tape. And this isn't necessary. It isn't. For an engineer to work effectively, he must be able to get a background in the subject, and to get a background in classified subjects, he must feel free to consult any information on the subject. Otherwise, the whole purpose of the laboratory is defeated.

Mr. SCHINE. And where did you feel the security was too lax?

Mr. LOVENSTEIN. Visitors.

Mr. SCHINE. What is the procedure for visitors?

Mr. LOVENSTEIN. Well, when a visitor comes to the laboratory, his clearance is checked. This procedure involved either calling Fort Monmouth or consulting the record files at Evans. If a man is cleared, he gets a badge, which says—I am not sure of the new badges; I haven't seen too many of them, but it usually says either "Escort required" or "unclassified"—I am not sure of this.

No, this I am sure of. The badges do not state the security clearance. It just says "Visitor escort required." Or "Visitor escort not required."

We were told when we get one of these visitors in the section the only way of making sure of what his classification clearance is is

to call the security office. This I have done, and the girl over the phone will give the clearance out. The clearance she gives out does not include the projects he has been cleared for. It gives a blanket clearance. Assumedly, the man is directed to appear for only one project, and you are to speak to him on only one project.

Mr. SCHINE. In other words, the clearance, first of all, is not specific enough; secondly, even at the outset, it may be done haphazardly, because they have limited files by which they can check the individual?

Mr. LOVENSTEIN. That is right, sir.

Mr. SCHINE. Thank you very much, sir.

Incidentally, on the question of anti-Semitism, if somebody there is anti-Semitic, according to your percentage figures, I would say he was fighting a losing battle. That 25 percent Jewish is rather a high percentage.

Mr. LOVENSTEIN. Not at the current rate, because the current rate of suspensions is practically 99 percent Jewish. If you keep going at 99 percent, ultimately you get almost that whole 25 percent.

Mr. SCHINE. Of course, religion doesn't exclude the possibility of being involved in criminal activity or provide a shield which he can hide behind.

Mr. LOVENSTEIN. Right, sir.

Mr. JONES. Where do you believe the fountainhead of this anti-Semitism stems from out there at Monmouth?

Mr. LOVENSTEIN. I wouldn't say.

Mr. JONES. You know, but you won't say?

Mr. LOVENSTEIN. No, sir, I don't know. I can guess.

Mr. JONES. You have reason, however, to believe that it may center in the security and loyalty board. Is that correct?

Mr. LOVENSTEIN. This has affected a number of people.

Mr. JONES. Have you any ideas that you would want to put in the record?

Mr. LOVENSTEIN. No, sir. This is only a guess. Why should a guess become a matter of record. I have no proof. The other statements I gave you were statements other people made.

Mr. CARR. You said that there were persons you could give us who would be able to clear this up. I don't think you gave us their names.

Mr. LOVENSTEIN. I gave one. Mr. Gross. He should surely give you many more. I believe Dr. Daniels knows of other cases.

Mr. CARR. Gross and Daniels?

Mr. LOVENSTEIN. Yes. I may give you my connection with Gross. You will probably be interested in that. He was my first boss, when I first came to the laboratories. I worked for him maybe a matter of months, but I have known him ever since in the laboratories.

Mr. SCHINE. Thank you very much, sir.

Mr. JONES. I think you have been very helpful, Mr. Lovenstein.

Mr. COHN. Will you give us your full name, please, Mr. Fister?

STATEMENT OF EDWARD J. FISTER

Mr. FISTER. Edward J. Fister.

Mr. COHN. And where are you employed?

Mr. FISTER. At Fort Monmouth, Evans Signal Laboratory.

Mr. COHN. How long has Evans been in existence?

Mr. FISTER. Since around '41 or '42.

Mr. COHN. Under the name of Evans?

Mr. FISTER. Yes.

Mr. COHN. What do you do there?

Mr. FISTER. Right now, chief of the Meteorological Branch.

Mr. COHN. And do you know Aaron Coleman?

Mr. FISTER. Yes.

Mr. COHN. Do you know Harold Ducore?

Mr. FISTER. Yes.

Mr. COHN. Now, were you a reference for either one of these, a reference for employment for either Coleman or Ducore?

Mr. FISTER. With the government?

Mr. COHN. Yes.

Mr. FISTER. Not before they got their job. I didn't know them before they started to work for the government. If they have filed any applications for examinations since they came there, my name may have been used.

Mr. COHN. But you feel you would not be on the original applications, since you didn't know them?

Mr. FISTER. I didn't know them prior to my working for the government.

Mr. COHN. How about Bernard Martin?

Mr. JONES. Bob Martin?

Mr. FISTER. Bob Martin. I didn't know his name was Bernard.

Mr. COHN. Could you have been given as a reference for him?

Mr. FISTER. I don't think so. I didn't know him very well.

Mr. COHN. You knew none of these persons before?

Mr. FISTER. That is right.

Mr. COHN. How well do you know Aaron Coleman?

Mr. FISTER. I would say very well.

Mr. COHN. Do you know him socially?

Mr. FISTER. I perhaps know him most socially from spending about six weeks in England with him, when we both were sent over to a conference.

Mr. COHN. When was that?

Mr. FISTER. I think it was in 1950.

Mr. COHN. Have you ever been to his home?

Mr. FISTER. Yes, I was to his home once.

Mr. COHN. I see. Who else was present at his home when you were there?

Mr. FISTER. My wife and his wife.

Mr. COHN. Nobody else?

Mr. FISTER. No. His wife went with him, and my wife went with me, when we went to England. So when we come back we visited him.

Mr. COHN. How about Mr. Ducore? What is the extent of your acquaintance with him?

Mr. FISTER. I have only known him through working with him. I have been at a couple of lab parties that he attended and I attended, branch parties. But I didn't spend any other time with him. I never visited in his home.

Mr. COHN. How about Mr. Martin?

Mr. FISTER. Martin I only know casually. I know him to see him. I have seen them several times, but I never had any relations with them at all.

Mr. COHN. The reason we asked you to come down is that you were given as a reference at some step along the line by Coleman, and we are checking out everybody who was given as a reference by him.

Mr. FISTER. That could be.

Mr. COHN. Have you ever discussed politics with Mr. Coleman?

Mr. FISTER. Yes.

Mr. COHN. What about his political views?

Mr. FISTER. I think that Coleman believes in our system of government.

Mr. COHN. I see. Has he ever said anything to you to indicate that he didn't?

Mr. FISTER. No. We used to have quite a lot of discussions on political matters, such as socialized medicine, social security, things of that nature. He believed very strongly in socialized medicine and social security. But from all the conversations I have ever had with him, I would think he would be loyal to the government.

Mr. COHN. Did you ever discuss Russia with him?

Mr. FISTER. Yes.

Mr. COHN. How about that?

Mr. FISTER. He was against her way of doing things.

Mr. COHN. When was that?

Mr. FISTER. Oh, ever since I have known him. He hasn't changed any since I have known him. He has always been the same.

Mr. COHN. Do you know whether or not he knew Julius Rosenberg?

Mr. FISTER. Only from what he told me.

Mr. COHN. And what did he tell you?

Mr. FISTER. He told me that he went to one class with Rosenberg; that Rosenberg sat next to him—I think it was a mechanical engineering class—and insisted that he go to a Communist youth meeting with him; that Coleman was not interested in going, but, however, to silence him, he went, and he found out that rather than a place where people could express their own views, they weren't allowed to say anything, and they were just sort of given a line to follow. This disgusted him, and he never attended another meeting, nor bothered with Rosenberg, other than seeing him in class.

Mr. COHN. When did he tell you this?

Mr. FISTER. About a week ago.

Mr. COHN. He told you about a week ago?

Mr. FISTER. Yes. I will tell you how it happened. After he got a copy of his charge, he came to me and asked me if I would give him a letter of character reference. I told him that I would write a letter explaining my contacts with him and what I thought of him, that I would do this. He said he wanted me to see the charges against him. So one of the charges in there was that he was friendly with Julius Rosenberg, and I asked him how about that, and he told me that this was what it amounted to.

Mr. COHN. How about Morton Sobell?

Mr. FISTER. He went to school with Sobell, knew him in class, never bothered with him socially, hadn't seen Sobell until one day he went to the General Electric Company, with whom he had a government contract, that is, he had charge of it through his section. He met Sobell there, talked to him, and that was about all the contact they had had.

Sometime later he said he went to the Reeves Instrument Company and found Sobell working in the Reeves Instrument Company. And again he talked to him. He talked to him there. And later on, some of the equipment that Sobell was working on for Reeves was procured by the radar branch, so he came in closer contact with Sobell at that time. But it was all strictly on a business basis.

Mr. JONES. Mr. Fister, do you know Alan Sterling Gross?

Mr. FISTER. I know of him. I know him to see him and know him to say "hello."

Mr. JONES. What do you know about him?

Mr. FISTER. Nothing, I have met him at work, and I just know him to say, "Hello, Al," and that is about the only contact I have ever had with him.

Mr. JONES. What is his position?

Mr. FISTER. He was working in the Applied Physics Branch. Exactly what he was doing, I don't know. I don't know whether he was working in the project they call Diana, which made contact with the moon by radar, or not. He may have been. I don't know.

Mr. JONES. When did you see Mr. Gross last?

Mr. FISTER. Gee, I don't think I have seen Gross in a couple of years, not even to say "hello" to. It must be that long anyway. Maybe longer.

Mr. JONES. Did you know that there was a meeting held last night at which all of those who were suspended out there attended?

Mr. FISTER. No, I did not.

Mr. JONES. In a lawyer's office here in New York?

Mr. FISTER. No, I didn't. I haven't had any contact with the people who have been suspended except Coleman, who visited at my house Saturday morning, and Ducore, who called me up Friday night and asked if I would give him a character letter. That is the only contact I have had with any of the people.

Mr. JONES. Do you know Jerome Corwin?

Mr. FISTER. Yes.

Mr. JONES. What do you know about Mr. Corwin?

Mr. FISTER. I consider Corwin a very loyal American, a very hard worker, who has done a lot of good for the government in a development sort of way, a very steady worker. I know nothing but good about him.

Mr. JONES. You say you know Bob Martin. How did you meet Mr. Martin?

Mr. FISTER. I don't exactly remember, but I think that I met him in a restaurant, where a number of the fellows who worked at the lab used to eat, and he was introduced to me by—it could have been Corwin or Coleman. I don't recall.

Mr. JONES. It could have been Aaron Coleman, you say?

Mr. FISTER. It could have been Corwin, could have been Coleman, could have been one of the other people who ate there. I don't

recall. It didn't impress me that much that I would remember how I knew him.

Mr. JONES. Do you know a Mr. Ullmann?

Mr. FISTER. Ullmann? The name sounds familiar, but I don't place the individual.

Mr. JONES. Would the name William Ludwig Ullmann mean any more to you?

Mr. FISTER. No. I can't connect the thing with him.

Mr. JONES. Tell me, Mr. Fister: What is your personal evaluation of the security system out there at Fort Monmouth?

Mr. FISTER. I think that they have tried to make as safe a security system as they possibly can, and that if anything the effort that has gone into trying to maintain it secure is overdone rather than underdone.

Mr. JONES. Have they recently changed the security system out there?

Mr. FISTER. There has been a slight modification.

Mr. JONES. How long ago was that modified?

Mr. FISTER. About three or four months ago.

Mr. JONES. In what areas were the modifications made?

Mr. FISTER. All areas.

Mr. JONES. All areas?

Mr. FISTER. Yes. A new supplement to AR-380-5 which is the security army regulation, came out, which stipulated a different way of handling material than the way it had been handled in the past. They had a system which lived up to 380-5 prior to this new one coming out, but it had to be modified somewhat to fit Supplement No. 1, which came out in June, I believe. That was in June it came out, and they applied it somewhere around July, so it was about four months ago.

Mr. JONES. You are saying, then, in effect, that the security system now is a fairly good system, a fairly effective system.

Mr. FISTER. I can't see that they could do anything more without not getting any work done at all. The security system now interferes with getting work done.

Mr. JONES. You have access to top secret, secret, and classified. You have clearance; is that right?

Mr. FISTER. That is right.

Mr. JONES. How long have you had that top secret clearance?

Mr. FISTER. I really don't know, but it must be in the nature of four years or five years. Somewhere around there. I don't just know exactly.

Mr. JONES. Do you have any films made of your work?

Mr. FISTER. We have had a film made, showing the Raywin, Raywin, system.

Mr. JONES. Have you ever had films made of top secret materials?

Mr. FISTER. Not film, no. We have had reproductions made, photostats.

Mr. JONES. Photostats?

Mr. Fister. Yes. We don't take the film ourselves. We go to a reproduction center.

Mr. JONES. Out here at Long Island?

Mr. FISTER. No. We have our own reproduction center at the labs.

Mr. RAINVILLE. That is for stills; not for motion pictures?

Mr. FISTER. They do some motion picture work, too, but not as they do in Astoria.

Mr. JONES. Who is the official photographer out there?

Mr. FISTER. I guess Jack Catelli is chief of the Reproduction Branch right now.

Mr. JONES. Do you know a Leo Fary?

Mr. FISTER. Slightly. I know Leo to see him. I don't know him real well.

Mr. JONES. Has he ever done work for you?

Mr. FISTER. I don't know for sure, but he must have. He is a photographer there, and he may have been involved in one or two of the projects. I don't know.

Mr. JONES. Now, I asked you just a moment ago, sir: Do you have or have you ever had stills or pictures made of any top secret or secret material in action?

Mr. FISTER. You are not talking about in my present position. You mean: Did I ever have? I was assistant chief of Radar Branch up until two years ago.

Mr. JONES. Did you ever have?

Mr. FISTER. Oh, yes.

Mr. JONES. When was the last time that you had them made?

Mr. FISTER. I wouldn't remember.

Mr. JONES. Within the last three months or so?

Mr. FISTER. Not that I recall.

Mr. JONES. Now, did Leo Fary ever do any of that work for you?

Mr. FISTER. He may have been the photographer that was called in to take pictures of equipment.

Mr. JONES. What would happen to these pictures after they were made and developed?

Mr. FISTER. They were filed in reproduction. They are stamped with their classification. And they are treated the way they should be treated for that type of document. A certain number of copies are sent to Washington, to the chief signal officer. A certain number of copies might go to the field forces if it is a piece of equipment that they are interested in.

Mr. JONES. You are talking about still pictures, a copy of still pictures?

Mr. FISTER. Yes.

Mr. JONES. What about moving pictures?

Mr. FISTER. The moving pictures are usually kept in a laboratory and are used as phases of research, either to demonstrate to other people something that has been accomplished, or to be used for your own people, and sometimes they are taken around to other laboratories, and shown to them, the same as we get pictures from other laboratories at our place, for interchange of information in fields where we have a common interest.

Mr. JONES. Have you any reason to believe there may have been any subversive activity at Monmouth within the past three or four years?

Mr. FISTER. None at all.

Mr. JONES. You have no knowledge whatsoever of any subversion?

Mr. FISTER. None whatsoever.

Mr. RAINVILLE. And do you think your security system is adequate to check any such subversion if they tried it?

Mr. FISTER. I would say it is as adequate as it can be, and I don't think there is a security system that can guard 100 percent against such things. Because I think it is as nearly impossible as you can make it to get any classified information out of our place. However, an individual could remember things and take it out in his head, and there is no way of stopping that. As far as taking a physical document out, you don't stand much chance of getting away with that.

Mr. RAINVILLE. You don't think it could be done?

Mr. FISTER. I wouldn't say it couldn't be done, but I say they have tried to take every precaution that can be taken so you can't do that. You have a guard system at every gate. There is a barbed wire fence around the place which is ten feet high or something on that nature. They have guards stationed all along, so that if anybody comes up to the fence they have a view of the fence and can see what is happening. At night time, it is adequately lighted around the periphery of the fence. People have to be cleared in order to get documents. The clearance of secret, for instance, will not allow you to see every secret document. It only allows you to see those secret documents that pertain to your immediate work.

Mr. RAINVILLE. How do you know that is the clearance they have?

Mr. FISTER. We are notified by the security officer.

Mr. RAINVILLE. Somebody calls you in advance?

Mr. FISTER. We get a paper.

Mr. RAINVILLE. You get a paper.

Mr. FISTER. Which is sent to us signed by the security officer, giving the clearance of each individual in our branch. As that security changes, and it does from time to time, mostly up—in other words, when a person starts, they are given an interim clearance of maybe restricted, or maybe no clearance at all, and we are so notified; that these people must be kept away from any classified work. As the clearance changes, you get a notification from the security officer immediately. People can't draw any information out of the library, or out of the mail and records files unless there is a card in there signed by the branch chief and the security officer. The security officer signifies what their clearance is. The branch officer signifies what type of material they can draw out. Unless the type of material that they want is approved by the branch chief, they can't get it out. In other words, if one of my persons wanted to get—

Mr. RAINVILLE. That would be from people who are actually employed. What about people who just came in?

Mr. FISTER. Nobody can get anything, if they just come in.

Mr. RAINVILLE. You mean they can walk in and get a clearance as they come in, and that clearance precedes them? Or how do you handle that?

Mr. FISTER. When a visitor comes, he has been cleared by his own organization to discuss whatever the correct classification is.

Let's assume that somebody is going to come from the General Electric Company. In advance, this company will inform their laboratories that he is coming, that he is cleared for secret, or confidential, or whatever it is. When he comes, the receptionist checks his credentials to make sure who he is. They now have a system that when a man comes he is photographed, and his photograph goes on a file, which the receptionist keeps. When he comes back and he says that he is John Smith, she goes through the file and sees that it is John Smith by his photograph.

Then after she has made sure that he is the right person, the person whom he is visiting is called and is told that Mr. So-and-So of General Electric is there; to send an escort up to get them. So an escort goes up and takes him back to wherever the meeting is supposed to take place. At no time is this individual to be left unescorted, and he is supposed to be brought back to the reception desk, and if he wants to go and see someone else in the laboratory, he is supposed to start out from the reception desk again. In other words they have taken precautions to stop people from just roaming around the laboratories.

Mr. RAINVILLE. But I understood that there were some people who would come in without an escort.

Mr. FISTER. There had been some people who had a clearance that did not require an escort. I don't know whether this is true under the new system or not. I am not a security expert.

Mr. RAINVILLE. You made a statement a few moments ago saying you thought security was overdone, and then you say that you don't think that we can ever obtain 100 percent security; that even if people do nothing more than walk out and remember things they can take it with them.

I don't quite follow. How could it be overdone, as long as there is still a chance?

Mr. FISTER. Well, unless you can make a person forget, you can't stop that phase of his taking information out.

Mr. RAINVILLE. And when you say you can't have perfect security: The only way that they could get material out of the laboratory now would be to have a photographic memory and to memorize it and to walk out. You don't think that they could carry a small camera and do the same thing?

Mr. FISTER. Well, to say that a person couldn't would be making a broad statement. I don't think they have much of a chance of doing that. I don't know how small a camera you have in mind. I am not familiar with cameras.

Mr. RAINVILLE. Well, have you seen cameras that are about an inch wide and about three inches long?

Mr. FISTER. Yes, I have seen that size. The guards inspect the briefcases, and so forth, that they come in with. They have tried to discourage bringing briefcases in. However, if a person has to bring one in, sometimes they do. They check the contents on the way in, give them a briefcase pass listing what is in it, not in great detail, but the classification of the highest thing in there, and then when he goes out they again check to make sure he hasn't acquired anything while he was there. Visitors are not left alone, so they shouldn't be able to get at any documents, if the escort system works, and I think everybody is paying attention to it.

Also, nobody leaves their office and leaves any classified information in there unattended.

Mr. RAINVILLE. You will pardon my smiling, but we have one gentleman who confessed that he was suspended a little while ago for doing just what you said they don't do.

Mr. FISTER. There are always slip-ups in everything.

Mr. RAINVILLE. We have another gentleman who said that there are two classes of visitors, those who can wander around without an escort and those who can't.

Mr. FISTER. At one time this was true. I don't know whether this is still true or not under the new system. However these people who were allowed to sort of wander around, as you say, were very thoroughly checked, and their being allowed to wander around didn't really give them access to any classified information. But in general, I think I am right in saying that people do not leave and have not left any classified information in a room which is not attended. This is something that has been ingrained into people ever since we have been working there, and they live up to it.

They live up to it, because there is a penalty. You never know when a guard is liable to come around or one of the supervisors, or an officer, and if he would see material on a desk, he would just pick it up and walk up to the front and let you sweat for a while before you asked where the thing was, and then call you to task for not watching it. That has happened, and it is very embarrassing, and I think people try to live up to security regulations.

What I meant when I said it was being overdone, that if anything, it is being overdone, was that it is so difficult now to get and to read a classified document that you spend a good percentage of your time that you would like to spend in working, so that you can read it. So a lot of information that should be passed around among the people working in the field is not being passed around, just because it is so difficult to get it.

Mr. RAINVILLE. Two quick questions.

One: What, then, is your explanation for the fifteen people that have been suspended?

Mr. FISTER. Well, I don't know. I don't know what charges you have against these people.

Mr. RAINVILLE. You don't believe it would be from infractions of that kind. It must be something more serious, or something less serious?

Mr. FISTER. It must be something more serious.

Mr. RAINVILLE. It couldn't be leaving papers out on the desk, because that has been trained out of them and they don't do it any more?

Mr. FISTER. Oh, no. This happens.

Mr. RAINVILLE. But it doesn't happen to all fifteen at once?

Mr. FISTER. No. It happens. We have penalties for this thing. If you leave a paper out, leave the safe open, or whatever it is, and classified material is in it, you get a two-day suspension, the first time.

The second time, I think it is a week,

The third time they are fired.

In other words, you are a careless person that can't work with classified material.

Mr. RAINVILLE. And the last question is: Do you have any feeling that there is in this mass action any anti-Semitism?

Mr. FISTER. No.

Mr. RAINVILLE. I think that is all.

Mr. COHN. Will you give us your full name?

STATEMENT OF WILLIAM P. GOLDBERG

Mr. GOLDBERG. William P. Goldberg.

Mr. COHN. Where are you employed?

Mr. GOLDBERG. At Evans Signal Laboratory.

Mr. COHN. And how long have you been employed there?

Mr. GOLDBERG. Thirteen years, I think.

Mr. COHN. And what is your position?

Mr. GOLDBERG. I am an electronics engineer.

Mr. COHN. In what section?

Mr. GOLDBERG. At the moment I am in a section called the Wave Propagation Section.

Mr. COHN. In the thirteen years you have been there, have you had access to any classified material?

Mr. GOLDBERG. Yes.

Mr. COHN. Up to what classification?

Mr. GOLDBERG. Secret.

Mr. COHN. Is there some very sensitive work going on at Evans Laboratory?

Mr. GOLDBERG. Yes.

Mr. COHN. Involving radar and other things?

Mr. GOLDBERG. Yes.

Mr. COHN. Are you acquainted with Aaron Coleman?

Mr. GOLDBERG. Yes.

Mr. COHN. How long have you known him?

Mr. GOLDBERG. Oh, it is a number of years. I don't remember exactly how many.

Mr. COHN. Have you known him socially at all?

Mr. GOLDBERG. No.

Mr. COHN. Just known him from around Evans; is that right?

Mr. GOLDBERG. Yes.

Mr. COHN. Let me ask you this, Mr. Goldberg. Where do you reside?

Mr. GOLDBERG. 1609 South Wanamassa Drive in Wanamassa.

Mr. COHN. Are you married?

Mr. GOLDBERG. Yes.

Mr. COHN. What was your wife's maiden name?

Mr. GOLDBERG. Rose Oberman.

Mr. COHN. Do you have any brothers or sisters?

Mr. GOLDBERG. I have a sister.

Mr. COHN. What is her name?

Mr. GOLDBERG. Ada Steinfeld.

Mr. COHN. Is that her married name?

Mr. GOLDBERG. Yes.

Mr. COHN. Her maiden name was Goldberg; is that correct?

Mr. GOLDBERG. Yes.

Mr. COHN. Where does she reside?

Mr. GOLDBERG. 940 Fox Street, Bronx, New York.

Mr. COHN. You said she resides where?

Mr. GOLDBERG. 940 Fox Street, Bronx, New York.
 Mr. COHN. And what is her husband's name?
 Mr. GOLDBERG. They call him Teddy. I think it is Theodore.
 Mr. COHN. For how long has she been married to him?
 Mr. GOLDBERG. I don't know exactly. Eight or ten years.
 Mr. COHN. Eight or ten years?
 Mr. GOLDBERG. Something like that. Possibly not that long. I am not sure.
 Mr. COHN. Now, have you been out of the country recently?
 Mr. GOLDBERG. Yes.
 Mr. COHN. Where were you?
 Mr. GOLDBERG. England.
 Mr. COHN. How long were you there?
 Mr. GOLDBERG. I just got back a month ago, three weeks or a month ago.
 Mr. COHN. When did you last see your sister?
 Mr. GOLDBERG. Just after I got back.
 Mr. COHN. Did you stay at her house at all?
 Mr. GOLDBERG. Yes.
 Mr. COHN. For how long a period of time?
 Mr. GOLDBERG. About a week, I should say.
 Mr. COHN. Was her husband home at that time?
 Mr. GOLDBERG. Part of the time.
 Mr. COHN. Now, what does he do for a living?
 Mr. GOLDBERG. Drives a cab.
 Mr. COHN. Do you know whether or not he is a member of the Communist party?
 Mr. GOLDBERG. No, I don't.
 Mr. COHN. You don't know that?
 Mr. GOLDBERG. No.
 Mr. COHN. Have you ever heard it said he was?
 Mr. GOLDBERG. No, I haven't.
 Mr. COHN. Is this the first time you hear about anything like that?
 Mr. GOLDBERG. No. It is not the first time, but I don't know that he is a member of the Communist party.
 Mr. COHN. What is the first you did hear about it?
 Mr. GOLDBERG. I don't know, just a general impression.
 Mr. COHN. On whose part?
 Mr. GOLDBERG. I don't remember any definite information.
 Mr. COHN. I don't quite know what you mean. Where did you get the impression? The things he said?
 Mr. GOLDBERG. That and just general impression.
 Mr. COHN. Does he have the *Daily Worker* around his house?
 Mr. GOLDBERG. I believe I did see it.
 Mr. COHN. Did you see it there last month?
 Mr. GOLDBERG. I don't remember that, I was too busy.
 Mr. COHN. Doesn't he have any other Communist literature around the house?
 Mr. GOLDBERG. I didn't look. I was hunting for a place to live. I wasn't staying there, actually.
 Mr. COHN. Is your sister a member of the Communist party?
 Mr. GOLDBERG. I don't know.

Mr. COHN. Having seen the *Daily Worker* around there and gotten this impression about your brother-in-law, didn't you ever ask?

Mr. GOLDBERG. Not that question, no.

Mr. COHN. What did you ask?

Mr. GOLDBERG. I didn't ask him anything, actually.

Mr. COHN. Did you ever discuss any of your work down at Monmouth in his presence?

Mr. GOLDBERG. No.

Mr. COHN. Does he know you work at the Evans Laboratory?

Mr. GOLDBERG. Yes.

Mr. COHN. Don't you know for a fact that your brother-in-law is secretary-treasurer of the Communist party—

Mr. GOLDBERG. I don't.

Mr. COHN. Have you ever met any people through your brother-in-law, your sister or brother-in-law?

Mr. GOLDBERG. That is hard to answer. There have been people around sometimes in the house.

Mr. COHN. Can you name any?

Mr. GOLDBERG. No.

Mr. COHN. How about the last month when you were staying at the house?

Mr. GOLDBERG. I wasn't staying. I left my family there while I hunted a place to live.

Mr. COHN. Did you ever sleep there?

Mr. GOLDBERG. Yes.

Mr. COHN. During the last month?

Mr. GOLDBERG. Yes.

Mr. COHN. You were staying there, then?

Mr. GOLDBERG. Not during the whole time.

Mr. COHN. Well, during part of the time you were?

Mr. GOLDBERG. Yes.

Mr. COHN. Now did they have any visitors? Did you meet anybody there?

Mr. GOLDBERG. My mother, of course, who lives with them. Other friends of theirs.

Mr. COHN. I would like to get the names of some of those friends.

Mr. GOLDBERG. Of theirs? Abramowitz is one.

Mr. COHN. Abramowitz?

Mr. GOLDBERG. Yes.

Mr. COHN. Is that a man or a woman?

Mr. GOLDBERG. A man.

Mr. COHN. Is that the only one you can think of now?

Mr. GOLDBERG. Yes.

Mr. COHN. Did anyone in his house ever ask about your work at Monmouth?

Mr. GOLDBERG. No.

Mr. COHN. Did your brother-in-law ever mention it?

Mr. GOLDBERG. No.

Mr. COHN. Isn't that a natural topic of discussion?

Mr. GOLDBERG. No.

Mr. COHN. It isn't?

Mr. GOLDBERG. No.

Mr. COHN. Are you on speaking terms with your brother-in-law?

Mr. GOLDBERG. Yes.

Mr. COHN. You say he knows you are working in Evans Laboratory?

Mr. GOLDBERG. Yes.

Mr. COHN. What did you say this Steinfeld address in the Bronx was?

Mr. GOLDBERG. 940 Fox Street in the Bronx.

Mr. COHN. What other evidences of Communist party activity have you seen other than the *Daily Worker* and Communist literature?

Mr. GOLDBERG. That is all.

Mr. COHN. What other facts did you have that created in you the impression that he was a Communist?

Mr. GOLDBERG. Just those.

Mr. COHN. Have you ever heard him discuss Russia?

Mr. GOLDBERG. I suppose. I don't recall.

Mr. COHN. Haven't you ever heard him make plainly pro-Communist statements?

Mr. GOLDBERG. No.

Mr. COHN. Has he made anti-Communist statements?

Mr. GOLDBERG. No.

Mr. COHN. You said before you referred to things he said. What did you mean by that?

Mr. GOLDBERG. I don't know. I don't remember any specific things, but it is an impression you get.

Mr. COHN. Of what college are you a graduate?

Mr. GOLDBERG. City College.

Mr. COHN. In what year did you graduate?

Mr. GOLDBERG. '35.

Mr. COHN. Did you know Morton Sobell?

Mr. GOLDBERG. No.

Mr. COHN. Have you ever met him?

Mr. GOLDBERG. No.

Mr. COHN. Have you ever had any dealings with the Reeves Instrument Company?

Mr. GOLDBERG. Yes.

Mr. COHN. Just what dealings?

Mr. GOLDBERG. I am afraid I can't reveal the nature of the work, but it was in connection with a proposed contract.

Mr. COHN. When was that?

Mr. GOLDBERG. I forget the exact date. It was several years ago.

Mr. COHN. Seven years ago?

Mr. GOLDBERG. No, several.

Mr. COHN. Who did you deal with at Reeves Instrument?

Mr. GOLDBERG. Mr. Belloc.

Mr. COHN. Is that Harry Belloc?

Mr. GOLDBERG. Yes.

Mr. COHN. And you did not know Sobell at that time?

Mr. GOLDBERG. No.

Mr. COHN. Was he working at Reeves at that time?

Mr. GOLDBERG. No.

Mr. COHN. Did you know Julius Rosenberg?

Mr. GOLDBERG. No.

Mr. COHN. Did you know Aaron Coleman there?

Mr. GOLDBERG. At college? No.

Mr. COHN. Have you, yourself, ever engaged in any Communist activity?

Mr. GOLDBERG. No.

Mr. COHN. Were you ever asked to join the party?

Mr. GOLDBERG. No.

Mr. COHN. Were you ever asked to go to a Communist meeting or a meeting which turned out to be a Communist meeting?

Mr. GOLDBERG. No.

Mr. COHN. Did you ever discuss communism with your brother-in-law at any time?

Mr. GOLDBERG. I have tried to dissuade him on various occasions.

Mr. COHN. Well, you clearly knew he was a Communist, then?

Mr. GOLDBERG. Well, I suspected. I still don't know.

Mr. COHN. You wouldn't try to dissuade him if you didn't know he was a Communist, would you?

Mr. GOLDBERG. Well—

Mr. COHN. Did you try to dissuade him when you were up there last month?

Mr. GOLDBERG. No.

Mr. COHN. You have sort of given up on him?

Mr. GOLDBERG. I was too busy, frankly.

Mr. COHN. Did you think it was a good idea for someone working at the laboratory to stay at the home of a Communist?

Mr. GOLDBERG. I couldn't help it.

Mr. COHN. Well, what is your salary at the Evans Laboratory?

Mr. GOLDBERG. Eighty-five-something. I forget exactly. Something over \$8500.

Mr. COHN. Why do you say you couldn't help it?

Mr. GOLDBERG. Well, I just came in, with two children.

Mr. COHN. Do you think it is a particularly good thing from the security standpoint to have someone working in one of the most sensitive operations in the country staying at the home of a Communist?

Mr. GOLDBERG. No, I suppose not.

Mr. COHN. You say that was a matter of circumstantial necessity.

Mr. GOLDBERG. Yes.

Mr. COHN. Have your sister or brother-in-law ever visited you out in New Jersey?

Mr. GOLDBERG. I believe so.

Mr. COHN. About how often?

Mr. GOLDBERG. Oh, very infrequently.

Mr. COHN. Just when they happen to be driving out there?

Mr. GOLDBERG. I don't know. Possibly once or twice in all the time I have been down there.

Mr. COHN. When was the last time?

Mr. GOLDBERG. I don't remember. It was a very long time ago.

Mr. COHN. Does your brother-in-law know any of your colleagues down at Monmouth?

Mr. GOLDBERG. No.

Mr. COHN. He knows nobody else who works there other than you?

Mr. GOLDBERG. No.

Mr. JONES. Mr. Goldberg, one of the witnesses in here today said he personally was not very satisfied with the security system out there at Monmouth. What is your own evaluation of it?

Mr. GOLDBERG. I really don't know what to say. In what way?

Mr. JONES. That is what I am asking you. Has there been a change in the security system out there recently?

Mr. GOLDBERG. Don't forget I have only been back for a matter of a couple of weeks.

Mr. JONES. I am sorry, Mr. Goldberg. I wasn't up on the earlier part of your testimony. I understand you were in England.

Mr. GOLDBERG. Yes.

Mr. JONES. How long were you there?

Mr. GOLDBERG. Two years.

Mr. JONES. Two years. I am sorry. Possibly you may not be aware of it, then.

What were you doing in England?

Mr. GOLDBERG. I was working in the British Laboratories as an exchange engineer.

Mr. JONES. Prior to your trip to England, you were with the Evans people out there for a matter of ten or twelve years? Is that right?

Mr. GOLDBERG. Yes.

Mr. JONES. And what is your evaluation of the security system as it existed during that period?

Mr. GOLDBERG. It seemed entirely adequate to me then.

Mr. JONES. It appeared entirely adequate in every sense of the word.

To the best of your knowledge, you never had any idea of any subversion or subversive activities of any nature?

Mr. GOLDBERG. No, sir.

Mr. JONES. None whatsoever? Is that correct?

Mr. GOLDBERG. That is right.

Mr. RAINVILLE. I get the feeling, Mr. Goldberg, that you are restrained in your answers. Is there any reason for your feeling that you will not get a fair hearing before this group?

Mr. GOLDBERG. No, I don't think so.

Mr. RAINVILLE. We had one gentleman in here who discussed the possibility that there was some anti-Semitism in the investigation. Do you have any feeling that that is true?

Mr. GOLDBERG. I have a feeling?

Mr. RAINVILLE. He didn't associate that anti-Semitism with this committee as much as he did with the matter of suspension.

I just wanted to clear that for the record, Mr. Goldberg. You were at that meeting last night, though, weren't you, at which this whole problem was discussed?

Mr. GOLDBERG. Yes.

Mr. RAINVILLE. That is why I bring up the question. You are aware that whatever has happened with these suspensions has not been anything that this committee has done. This committee's investigation of these things is only now proceeding. Whatever has been done out there has no connection with this committee. I just wanted to reassure you and point out that perhaps this committee, if there is any anti-Semitism, can either reveal it or clear it up. And on that basis, we would welcome any cooperation you would

want to give. I can understand, of course, where you have a brother-in-law that is at least suspect in your own mind, even if you don't have definite proof of it, as a Communist, you might have hesitation to speak too frankly, not only not to get him into trouble, but not to further associate yourself with the situation.

Mr. GOLDBERG. Yes, exactly.

Mr. RAINVILLE. On the other hand, you are not to blame for whom your sister marries. Relatives and sons and daughters frequently marry people we think are outlandish, not because they are Communists but for other reasons.

Do you feel that there was a need for such a meeting as the one last night, for a sort of a briefing?

Mr. GOLDBERG. Yes, I think there was.

Mr. RAINVILLE. As I understand it, the discussion was all about the testimony here today. It was not about anything that had happened.

Mr. GOLDBERG. No, it was about the situation you mentioned, the possibility of anti-Semitism.

Mr. RAINVILLE. Who is paying the attorneys for advising you?

Mr. GOLDBERG. I think Mr. Katchen stated that he would be willing to take the job on without cost.

Mr. JONES. He made that statement to you, Mr. Goldberg?

Mr. GOLDBERG. I don't think he made it to me specifically.

Mr. JONES. Then how did you get that idea?

Mr. GOLDBERG. I heard it.

Mr. JONES. You heard that statement made?

Mr. RAINVILLE. He said he would volunteer his services, that he would not be paid?

Mr. GOLDBERG. Another thing, I am not quite sure what he was referring to at the time, whether it was this, or in connection with the anti-Semitism, or in connection with the suspension.

Mr. COHN. What anti-Semitism?

Mr. GOLDBERG. The gentleman brought up the point that mentioned that there was a possibility of anti-Semitism.

Mr. COHN. What do you think about that?

Mr. GOLDBERG. I think there is a distinct possibility.

Mr. COHN. You think so?

Mr. GOLDBERG. Yes.

Mr. COHN. Do you think it is improper for us to question you, for instance?

Mr. GOLDBERG. I am not saying it is in this committee. I am saying it is down at the laboratories.

Mr. COHN. Has your clearance been lifted?

Mr. GOLDBERG. The clearance, yes.

Mr. COHN. When was your clearance lifted?

Mr. GOLDBERG. Thursday.

Mr. COHN. Are you still working at the Evans Laboratory?

Mr. GOLDBERG. Yes. Not inside the fence, not in the restricted area.

Mr. COHN. Do you think it is improper for the army to go over your record with extreme caution, in view of the fact that you have a brother-in-law who the records show is a high Communist party official in New York, and that you stayed at his home as late as

last month, and you are working at one of the most sensitive agencies in the country?

Mr. GOLDBERG. Certainly not. I don't disagree with that at all.

Mr. COHN. That is all.

Mr. JONES. May I ask, now, getting back to this meeting, Mr. Goldberg, who informed you of this meeting?

Mr. GOLDBERG. I don't think it was any specially arranged meeting. I think it just happened.

Mr. JONES. Sure. But who informed you of the meeting?

Mr. COHN. Mr. Gross?

[The witness hesitated.]

Mr. JONES. It was just last night.

Mr. GOLDBERG. Here is what happened. We went up to Fort Monmouth, a group of us, to ask the security officer some questions about what was classified material and what wasn't.

Mr. COHN. Who is the security officer?

Mr. GOLDBERG. Colonel Sullivan. And then we went in to see Mr. Katchen. He wasn't there. And we left our names, and we said we would call back. Then we went back down. And I don't know whether he called back or somebody called him back, but he said to come up to his office at three-thirty.

Mr. JONES. Why did you go back to Mr. Katchen? I mean, how did you happen to go to Mr. Katchen in the first place? Why Mr. Katchen?

Mr. COHN. There must have been somebody who suggested going to him.

Mr. JONES. Who do you mean by "we" who suggested going to see the security officer?

Mr. GOLDBERG. Gross.

No, he was called up to see the security officer at the same time. I and Mr. Lovenstein, who were originally slated to come here today, went up to see him, and he was called up at the same time.

Mr. JONES. And Mr. Gross?

Mr. GOLDBERG. Yes.

So we all went up together.

Mr. RAINVILLE. That was to see the attorney?

Mr. GOLDBERG. No.

Mr. RAINVILLE. To see the security officer?

Mr. GOLDBERG. Yes.

Mr. JONES. So you saw the security officer, and then Mr. Gross suggested that, "We should go back to Mr. Katchen"?

Mr. GOLDBERG. I don't think there is anything wrong with Mr. Katchen, but still I don't know that it was Mr. Gross that suggested it.

Mr. JONES. We are not implying there is anything wrong with it. But how did you happen to go to him?

Mr. GOLDBERG. I think he has been known to fight in cases of anti-Semitism before.

Mr. JONES. I see. In other words, he has a reputation for that kind of work?

Mr. GOLDBERG. Yes. I think so.

Mr. JONES. From what you say.

Mr. GOLDBERG. I am not sure.

Mr. RAINVILLE. At this second meeting, you invited others to come?

Mr. GOLDBERG. The second meeting?

Mr. RAINVILLE. Surely there were more than three of you at this meeting?

Mr. GOLDBERG. Yes. People came. I don't know where they came from.

Mr. RAINVILLE. But they all, strangely enough, seemed to have their clearance lifted or something? It wasn't a regular meeting to talk this over?

Mr. GOLDBERG. Oh, no.

Mr. JONES. Who was there?

Mr. GOLDBERG. Myself, Mr. Lovenstein, Mr. Gross, Harold Ducore, Bob Martin, Mr. Lapato.

Mr. COHN. Who is Mr. Lapato?

Mr. GOLDBERG. He is a mechanic down there, I think, who has also had his security lifted.

Mr. COHN. How do you spell it?

Mr. GOLDBERG. L-a-p-a-t-o. And he is Jewish, by the way in spite of the name.

Mr. COHN. So do I, but I don't see it has anything to do with this.

Mr. GOLDBERG. Not as far as this committee is concerned.

Mr. COHN. I don't think it has anything to do as far as anybody is concerned.

Mr. GOLDBERG. Just look at the statistics.

Mr. COHN. I don't care if there were 530 out of 530. I don't see what earthly difference that makes. I don't think religion or religious persuasion is any cloak for activities against the United States.

Mr. GOLDBERG. I didn't say they were.

Mr. COHN. And I think it is an outrageous thing to even mention religion in connection with anything like that. I think it is possible you can have 100 percent Jews or 100 percent Catholics or 100 percent Protestant is absolutely no significance at all. Take you, for instance. Your name is Goldberg. In the last month, you were working at a sensitive spot in Evans Laboratory, where they were working among other things on our defense against enemy attack. You are staying at the home of a notorious Communist, a man who is dedicated twenty-four hours a day to the destruction of this country.

Now, I think the army would be guilty of gross negligence if they didn't go into this thing with the utmost thoroughness, and, until they had gone into it with the utmost thoroughness, lift your clearance, for your sake as well as anyone else. And you have agreed with me before that that is certainly a situation which they have to go into with great care, and which you would if you had the responsibility for these things. Isn't that so?

Mr. GOLDBERG. Yes.

Mr. COHN. And how that could involve anti-Semitism or anti-anything, I don't know.

Mr. GOLDBERG. Not in my case. I said, "Look at the statistics." That is the only evidence I have to offer.

Mr. COHN. I think that is very meager evidence.

Mr. GOLDBERG. Yes, it is, I agree.

Mr. JONES. Mr. Goldberg, what percentage, in your best judgment, employed at Evans Laboratory, are Jewish?

Mr. GOLDBERG. I don't know. 25 percent, maybe, or less.

Mr. JONES. Getting back to this meeting again, Mr. Goldberg, what was discussed there?

Mr. GOLDBERG. This whole question.

Mr. JONES. You mean this whole question of anti-Semitism?

Mr. GOLDBERG. Anti-Semitism.

Mr. JONES. That was the basis of the meeting. Nothing else was discussed, nothing about today's meeting?

Mr. GOLDBERG. Except that they cautioned us again not to disclose classified material. We were to be very careful about that.

Mr. JONES. Those were the only instructions given as far as appearance here today was concerned?

Mr. GOLDBERG. In general, yes.

Mr. JONES. What do you mean by that?

Mr. GOLDBERG. There were other things said, I don't remember exactly the entire conversation. It went on for a long time. But that was the gist of it.

Mr. RAINVILLE. Weren't there others there last night?

Mr. GOLDBERG. How many have we got? I don't remember.

Mr. JONES. You went down as far as Mr. Lapato.

Mr. RAINVILLE. You gave Gross, Lovenstein, Goldenberg, Ducore, Martin, and Lapato.

Mr. GOLDBERG. There was Brody.

Mr. JONES. What is his first name?

Mr. GOLDBERG. Ed, I think.

Mr. JONES. Edward Brody?

Mr. GOLDBERG. I don't know. They call him Ed.

Mr. JONES. Anyone else, Mr. Goldberg?

Mr. GOLDBERG. There was another attorney there, Mr. Ducore's attorney. He came in very late.

Mr. JONES. What was his name?

Mr. GOLDBERG. Green, I think.

Mr. JONES. Do you know his first name?

Mr. GOLDBERG. No.

Mr. JONES. And anyone else?

Mr. GOLDBERG. I can't think of any.

Mr. JONES. Now, Mr. Goldberg, have you anything that you would want to tell the committee here that you think would be helpful to us in pursuance of our inquiries up here, anything that comes to your mind at all that you feel would be helpful to us in our work? We are primarily concerned with the security program out there at Monmouth.

Mr. GOLDBERG. I don't know. As I say, I have only been back a couple of weeks, and I don't know what the situation is.

Mr. RAINVILLE. Are you doing the same kind of work you did before you left?

Mr. GOLDBERG. Not anymore.

Mr. RAINVILLE. Well, prior to your clearance being lifted you were?

Mr. GOLDBERG. Yes.

Mr. JONES. Do you know a Mr. Ullmann, Mr. Goldberg, U-l-l-m-a-n?

Mr. GOLDBERG. No.

Mr. JONES. Do you know a Morton Sobell?

Mr. GOLDBERG. No.

Mr. JONES. How about Jerome Corwin?

Mr. GOLDBERG. Yes.

Mr. JONES. You know Jerome Corwin?

Mr. GOLDBERG. Yes.

Mr. RAINVILLE. While we are waiting for Mr. Cohn, I would like to ask you one question. If the Communists were to try to organize in the Negro districts, their tendency, of course, would be to organize a whole group of Negroes into a unit, wouldn't it, into a Communist cell so to speak? Obviously, if they are going to try to get Negroes, they would get as many Negroes as they could. That they might later infiltrate, white people into that group would also be an advantage, but when they started out it would have to start out from a Negro organization. And if such a cell were discovered and steps taken to prosecute them, you would then have a hundred percent colored people. That then would be, as you speak of anti-Semitism here, racial discrimination there. But actually you would have no choice. You can't say, "We can't indict a Protestant," or "We can't indict a Catholic. We have to leave them alone." Someone could come back and say, "Here we have an all-Baptist unit, and you can't prosecute them; because that would be discrimination."

Mr. JONES. Do you know Leo Fary?

Mr. GOLDBERG. No.

Mr. JONES. You don't know him?

Mr. GOLDBERG. No.

Mr. JONES. In your work out there at the Evans Laboratory have you ever had the occasion to have any photography done of your materials or equipment?

Mr. GOLDBERG. Occasionally.

Mr. JONES. Was it still photography, still pictures, or moving pictures, or both?

Mr. GOLDBERG. I don't recall any moving pictures. I had an occasional still photography done.

Mr. JONES. Who would take these pictures for you?

Mr. GOLDBERG. One of the photographers. I don't know who it was.

Mr. JONES. You would issue the order to have these pictures taken?

Mr. GOLDBERG. Yes.

Mr. JONES. Who would you give the order to?

Mr. GOLDBERG. It was through normal channels, I suppose. I would give it to the girl, and she submits it to the reproduction section.

Mr. JONES. And then they would send up a photographer, and he would take the picture that you would want taken, and then the picture would be returned to you upon development? Is that correct?

Mr. GOLDBERG. Yes.

Mr. JONES. Then what would you do with the pictures?

Mr. GOLDBERG. It depends on what they are for. Maybe just look at them sometimes.

Mr. JONES. So if you just look at them, what do you do then? You throw them away?

Mr. GOLDBERG. No.

Mr. JONES. Where do you put them, then?

Mr. GOLDBERG. I don't remember. It always depends on what they are for. If they are for a report, they are included in the report.

Mr. JONES. That is what we want to know.

Mr. GOLDBERG. If they are for a brochure, they are included in the brochure. If I am supposed to mark names of items on them, I put the names of items on them and send them back. I mean, it all depends.

Mr. JONES. That is right. That is what we want to know. So some are put in files, and they are used in various ways.

Tell me this: Does anyone have access to all of these pictures that you would have ordered yourself? Would anyone else have access to these pictures while they are in your possession?

Mr. GOLDBERG. The people who are supposed to have access to them will.

Mr. JONES. Were most of these pictures classified as secret and top secret?

Mr. GOLDBERG. I have never had anything to do with top secret.

Mr. JONES. Not top secret, but secret, and classified?

Mr. GOLDBERG. They are all classified, or most of them.

Mr. JONES. Have you ever been told or had any knowledge of any of these pictures being moved from the premises at any time?

Mr. GOLDBERG. No.

Mr. JONES. None whatsoever?

Mr. GOLDBERG. No.

Mr. JONES. To the best of your knowledge, as far as you know, no materials of that nature were taken from the premises?

Mr. GOLDBERG. No.

Mr. JONES. You said "no"?

Mr. GOLDBERG. I said "no."

Mr. JONES. Roy, do you have any more questions?

Mr. COHN. Nothing more.

Mr. JONES. That is all Mr. Goldberg.

Mr. COHN. Will you state your name?

STATEMENT OF JEROME ROTHSTEIN

Mr. ROTHSTEIN. Jerome Rothstein, R-o-t-h-s-t-e-i-n.

Mr. COHN. Mr. Rothstein, your security clearance was lifted?

Mr. ROTHSTEIN. Yes, sir.

Mr. COHN. When was this?

Mr. ROTHSTEIN. A week ago Tuesday.

Mr. COHN. Do you have any idea why it was lifted?

Mr. ROTHSTEIN. No.

Mr. COHN. Did you ever engage in any Communist activity or do you have any close associates or relatives who have?

Mr. ROTHSTEIN. No.

Mr. COHN. And have you ever been careless security-wise? Have you ever been found with papers?

Mr. ROTHSTEIN. Once my secretary left the safe open. On investigation, she was found responsible. And another time I had given

her a confidential document to be returned to the classified reports library. It was misplaced, and she was held responsible, but I was reprimanded for not having supervised her more adequately.

Mr. COHN. When was that?

Mr. ROTHSTEIN. Oh, I don't remember exactly. It was a matter of maybe six months ago.

Mr. COHN. Do you know Aaron Coleman?

Mr. ROTHSTEIN. I have met him once or twice.

Mr. COHN. How about Harold Ducore?

Mr. ROTHSTEIN. I have met him a few times also.

Mr. COHN. Where are you working right now?

Mr. ROTHSTEIN. Right now I am assigned to Watson Laboratory, a non-sensitive area.

Mr. COHN. That is since when?

Mr. ROTHSTEIN. Today was my first day there, actually.

Mr. COHN. I don't have anything more to ask Mr. Rothstein.

Thank you very much.

[Whereupon, at 4:40 p.m., a recess was taken until 11:00 a. m., Friday, October 9, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—None of those interrogated on October 9, 1953, Alan Sterling Gross; Dr. Fred B. Daniels (1901–1987); Bernard Lipel; James Evers (1912–1996); Sol Bremmer; Murray Miller; Sherwood Leeds (1918–1986); and Paul M. Leeds (1915–1987), testified in public session.]

FRIDAY, OCTOBER 9, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory was convened at 11 a.m., pursuant to call, in room 1402 of the Federal Building, Mr. G. David Schine, chief consultant, presiding.

Present: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Karl Baarslag, research director; Harold Rainville, administrative assistant to Senator Dirksen; Robert Jones, administrative assistant to Senator Potter; John Adams, counselor to the secretary of the army; and Julius N. Cahn, counsel to the Senate Foreign Relations Committee.

Mr. SCHINE. Will you state your name for the record, please?

STATEMENT OF ALAN STERLING GROSS

Mr. GROSS. My name is Alan Sterling Gross.

Mr. SCHINE. Will you spell that?

Mr. GROSS. A-l-a-n S-t-e-r-l-i-n-g G-r-o-s-s.

Mr. SCHINE. And your present occupation, Mr. Gross?

Mr. GROSS. I am an engineer employed as assistant chief of the Electro Magnetic Wave Propagation Section at Evans Signal Laboratory.

Mr. SCHINE. And your duties as an engineer in this section?

Mr. GROSS. Well, right now I am working on unclassified projects.

Mr. SCHINE. Yes.

How long have you been working solely on unclassified projects?

Mr. GROSS. Since December 19, 1952.

Mr. SCHINE. And until that time you had complete access to classified material?

Mr. GROSS. Yes.

Mr. SCHINE. How long were you employed in this position?

Mr. GROSS. I have been at the laboratory since 1941 about September 15, I think. But for a little over three years, from '43 to '46, I was in the United States Navy as a radar officer.

Mr. SCHINE. And when you first went to Fort Monmouth, you were still in the radar work?

Mr. GROSS. No, actually I have never been in what is known as the radar branch except for a period of two or three months in 1946.

Mr. SCHINE. In other words, from 1941 to '43, you worked at Fort Monmouth?

Mr. GROSS. That is right.

Mr. SCHINE. What were your duties at that time?

Mr. GROSS. Well, at that time I was an engineer in the sound and light section.

Mr. SCHINE. Then you went to the United States Navy, and from 1943 to 1946 you served as a radar technician?

Mr. GROSS. Yes. I was technical officer and then assistant officer in charge of ground control approach blind landing. It is instrument landing systems.

Mr. SCHINE. And then you returned, immediately upon your discharge from the navy, to Fort Monmouth?

Mr. GROSS. There was a period of maybe thirty days between the time I got out of the navy and the time I returned.

Mr. SCHINE. And at that time you took the present—

Mr. GROSS. No, at that time I came back to work for Mr. Stodola, in—I can't think of the name of the section.

It was at that time I think known as the General Engineering Branch.

And that section, due to the consolidation after the war, was broken up, and several groups went to different parts of the agency. For a period of about maybe two or three months, as I remember, I went to radar branch, and then from that back into this other branch, back to general engineering, which ultimately got its name changed to applied physics.

And I have been in the applied physics branch ever since but not always in the same section.

Mr. SCHINE. Now, Mr. Gross, would you tell us where you got your education, and when?

Mr. GROSS. I was educated at Townsend Harris High School in New York City, and went from there to City College. I was in City College from January 1937 to June of 1941, taking an electrical engineering course.

I graduated with a Bachelor of Electrical Engineering Degree.

Mr. SCHINE. Then, of course, you immediately went to Fort Monmouth.

Mr. GROSS. At the end of that summer, I did.

Mr. SCHINE. When you took a position with Fort Monmouth, did you give certain references in conjunction with your application for the position?

Mr. GROSS. Yes, I did.

Mr. SCHINE. Can you remember the names of those references?

Mr. GROSS. I don't think so. I am sure I gave an old friend of the family that knew me for years. I think his name was Ben Rader. That was one. He worked somewhere near New York City. I saw him last summer once.

But I don't think I could remember the others. I think I gave the family doctor. I think he is since dead.

Mr. SCHINE. Now, would you tell us why on December 19 you shifted from classified to nonclassified work?

Mr. GROSS. I don't know. Nobody ever told me. On a Wednesday, or I think about two days before, I was quizzed by the FBI for an hour and a half, which was not normal, but nothing that I would get annoyed about.

The FBI's questions on that day seemed to indicate—it was a matter of what enemies I had and because of my relatively young age had I supplanted anybody in the line of command that would have any hard feelings against me?

I happened to graduate from college at the age of nineteen, and I was pretty young to hold the position I am holding. I am thirty-two now.

And he spent most of the time quizzing me on that phase and intimated that there was some question about some equipment which I had never known, never heard of and never worked on.

Mr. SCHINE. Some equipment?

Mr. GROSS. Right.

The questions took a line that—I can't tell you what equipment. I think that would come under security. But he asked me whether I had done anything with the plans for this equipment.

I said I had never seen the equipment; never worked with it; never had access to it. And he went back to his line did I know who could have hard feelings against me because there were probably three-quarters of the section that were older than I am in years.

Mr. SCHINE. Had you ever been reprimanded prior to this for any activities on the part of your superior officers?

Mr. GROSS. No, I never had a security violation, never had any reprimand of any type.

Mr. SCHINE. Can you think of any organization to which you might have belonged, about which there would be a question in the minds of the intelligence agencies?

Mr. GROSS. I am a member of the Naval Reserve now. I belonged at one time to the American Legion and the VFW. I don't join things. That is just about that.

Mr. CARR. You are a member of the American Legion now, aren't you?

Mr. GROSS. Well, they haven't collected my dues just recently.

I was with the Balmar Post, and since I moved to Lakewood, it is hard to get back up there with a wife and family, so I am building a house and what not, and just haven't kept up with it.

Mr. SCHINE. You have never belonged to any organization termed as subversive by the proper authorities?

Mr. GROSS. No, sir; I never have.

Mr. SCHINE. Do you, or have you ever known Julius or Ethel Rosenberg?

Mr. GROSS. No, sir; I haven't. The FBI asked me those same questions.

Mr. SCHINE. Morton Sobol?

Mr. GROSS. No, I don't think so. He was, as I have told or have read, an engineer at City College. But I never remember knowing him.

And as far as I can see, I mean from the years that he went and I went, a freshman would not associate with the junior or senior classes.

Mr. SCHINE. David Greenglass?

Mr. GROSS. No, sir; that I am sure of.

Mr. SCHINE. Clarence Hiskey?

Mr. GROSS. No, sir; definitely not.

Mr. SCHINE. Have you ever been arrested for any criminal violation?

Mr. GROSS. No, sir; I never have.

Mr. SCHINE. What is your reaction to this whole situation?

Mr. GROSS. You mean my present state?

Mr. SCHINE. Yes.

Mr. GROSS. I was very much amazed, and I think everybody who knew me was. I am still amazed, because I have a letter this summer from the Research and Development Board, of which I was a deputy member, inviting me to a classified symposium on the West Coast, and stating therein that my clearance was verified by the Department of Defense.

I took that letter, and I mailed it with a letter of my own to Representative Auchincloss, and he inquired as far as he could, and he did not get any logical answer, and he was very much put out about it.

Mr. SCHINE. Do you know Mr. Ducore?

Mr. GROSS. Yes. And those two or three months I was in the radar branch, he was in the same section.

Mr. SCHINE. And you know Mr. Bernard Martin, known as Bob Martin, I think?

Mr. GROSS. Well, I know him. I never worked with him, or anything. I just know people who know him, and I would recognize him around when I saw him.

Mr. SCHINE. What does Bob Martin do?

Mr. GROSS. I don't know. I don't think in the last four years I have run into him except once. I don't know where he works, or what.

Mr. SCHINE. What does Mr. Ducore do?

Mr. GROSS. I think he is either assistant section chief or section chief in the radar branch.

Mr. SCHINE. Does he handle classified material?

Mr. GROSS. I assumed he did. I did not know any differently.

Mr. SCHINE. Are you very closely associated with him?

Mr. GROSS. No contacts outside at all.

Mr. SCHINE. What about Mr. Coleman? Do you know him?

Mr. GROSS. Just by name. I never met him outside, and possibly maybe a meeting in the laboratory. Nothing else.

Mr. SCHINE. Did you ever know a Mr. Ullmann?

Mr. GROSS. No, I don't think so, but I think he lived in the same rooming house I did when I was a bachelor.

Mr. SCHINE. What was his first name?

Mr. GROSS. I don't know. But I used to live in Red Bank in a rooming house which maybe held, oh, thirty or forty single people, of which there were schoolteachers of the local high school or engineers at the fort.

Mr. CARR. What is the address of that?

Mr. GROSS. It is the Hudson House, about 130 Hudson Avenue, Red Bank.

Mr. CARR. When did you live there?

Mr. GROSS. I lived there before I went in service, and I think from 1942, and then I lived there in '46, when I came back from the navy, oh, until a couple of months before I got married, in '49.

Mr. SCHINE. Did you know that his name was William Ullmann?

Mr. GROSS. I don't think so. We would come in and we would find the mail downstairs, everybody's.

Mr. CARR. Was his name Marcel Ullmann?

Mr. GROSS. No.

Mr. CARR. Do you know a Marcel Ullmann?

Mr. GROSS. No, not by that name.

Mr. CARR. What name do you know?

Mr. GROSS. I just remember the last name. If you asked me the first name, I couldn't tell you at all.

Mr. CARR. He lived at this bachelor's rooming place.

Mr. GROSS. I think he did. I know an Ullmann lived on one of the floors of that apartment building.

Mr. SCHINE. Did anyone else who was associated with you or works at Fort Monmouth live at that house?

Mr. GROSS. Oh, yes.

Mr. SCHINE. Would you name the names, please?

Mr. GROSS. There is a man who works there right now, Joseph Sharney, S-h-a-r-n-e-y. He works in my same section right now.

There was a Don Goodman. He left before the war. I can see some people's faces, and can't remember their names.

Mr. CARR. This is when you were a bachelor?

Mr. GROSS. Yes.

Mr. CARR. And this was a bachelor home where several bachelors lived?

Mr. GROSS. Yes.

Mr. CARR. Didn't Jerome Corwin live there?

Mr. GROSS. No, not there, no.

Mr. CARR. Not at this place?

Mr. GROSS. No, he did not.

Mr. CARR. How about a fellow named Okum? Do you recall him? Jack Okum?

Mr. GROSS. The name strikes a familiar chord, but I don't remember.

Mr. CARR. How about Bernard Martin, known as Bob Martin?

Mr. GROSS. No, definitely he did not live there. I can think of another name. Saul Groll.

Mr. CARR. Did Jerome Corwin live there at that time?

Mr. GROSS. No, definitely not.

Mr. CARR. When did you get married? What year?

Mr. GROSS. In June of 1949.

Mr. CARR. And what was your wife's name?

Mr. GROSS. Selma Lerner. That is L-e-r-n-e-r. She was a secretary in the propagation section.

Mr. CARR. At Fort Monmouth?

Mr. GROSS. At Fort Monmouth.

Mr. CARR. Where was her home originally? New York?

Mr. GROSS. She had lived about ten or twelve years in Lakewood, and originally was born in Brooklyn.

Mr. CARR. Now, you say that you have never been a member of the Communist party?

Mr. GROSS. No, I never have.

Mr. CARR. Or of any organization—

Mr. GROSS. I have never belonged to any organization connected with them in any way.

Mr. CARR. How about your wife?

Mr. GROSS. No, she has not. She held top secret clearance for a long time, and she would not have gotten that if they could find anything.

Mr. CARR. With the Evans Lab?

Mr. GROSS. Yes.

Mr. CARR. How about any other member of your family?

Mr. GROSS. No, definitely not. I am positive of that.

Mr. CARR. Have you ever affiliated yourself with the American Labor party?

Mr. GROSS. Never.

Mr. CARR. How about your wife?

Mr. GROSS. Never.

Mr. CARR. Were you members of the United Federal Workers?

Mr. GROSS. No.

Mr. CARR. You never were?

Mr. GROSS. Never were.

Mr. CARR. Was your clearance for secret lifted, or does it still remain in effect?

Mr. GROSS. It still remains in effect. It was lifted in December 1952.

Mr. CARR. Now were you notified at that time why it was lifted?

Mr. GROSS. No, I was not.

Mr. CARR. And you are still trying to find out why it was lifted?

Mr. GROSS. Yes.

Mr. CARR. Do you know Aaron Coleman?

Mr. GROSS. By name. I never worked with him or had any social contacts with him.

Mr. CARR. How about Harold Ducore?

Mr. GROSS. I know him. I think I was in his section. I think he was in the same section in 1946, when I came back from service, maybe for a period of two or three months. Either '46 or '47.

But I did not stay there long.

Mr. CARR. You had no social contact with him?

Mr. GROSS. No, I don't have any outside contact with him at all.

Mr. CARR. Have you ever had social contact or contact at work with Bernard Martin?

Mr. GROSS. No, I have not.

Mr. CARR. Do you know him at all?

Mr. GROSS. I know him by name. I know he works at the laboratory. I may have seen him once or twice around. But I don't even know where he works or what section.

Mr. CARR. Do you know Mr. Schenwetter?

Mr. GROSS. No, the name is not at all familiar.

Mr. CARR. Have you had any contact with Hymn Yamins?

Mr. GROSS. Well, in some of the work we have had contacts with MIT, and he is the liaison. We have worked through him. But only on a purely business basis.

Mr. CARR. Your only contacts have been in connection with your work?

Mr. GROSS. That is right.

Mr. CARR. And at your work?

Mr. GROSS. At my work. I never met him outside.

Mr. CARR. And you say you don't know this Jack Okum at all?

Mr. GROSS. I don't think so.

Mr. CARR. You can't recall the name?

Mr. GROSS. I can't recall the name.

Mr. CARR. Do you know a man named Irving Kaplan?

Mr. GROSS. No. There is no Kaplan that I know of.

Mr. CARR. Are any of your relatives connected in any way with the Communist party, or any of its alleged fronts?

Mr. GROSS. No, definitely not.

Mr. CARR. How about your wife's relatives?

Mr. GROSS. No, definitely not. My wife's brother also works at the laboratories, and I have met practically all the family and I am positive that none of them have any connection.

Mr. SCHINE. Do you know any members of the Communist party?

Mr. GROSS. No, I don't think so.

Mr. SCHINE. Have you known any?

Mr. GROSS. I could amplify one statement, I think. At this same rooming house, there lived a Morris Klein.

Mr. SCHINE. Will you spell his name?

Mr. GROSS. I think it is K-l-e-i-n. I am not sure. His first name was Morris. I knew he lived there, and I spoke to him, and since I left it I understand he has been removed and discharged for some Communist connection. But I did not know—

Mr. SCHINE. Where was he working at the time?

Mr. GROSS. He was working at Coles Laboratory, not any connection with us at all. He just lived at the same floor there.

Mr. SCHINE. When was he suspended, approximately?

Mr. GROSS. I don't know, 1950, I would guess at.

Mr. SCHINE. Have you heard the reasons why he was suspended?

Mr. GROSS. No, just the grapevine said he was suspended for some Communist connection, and he didn't fight it, so they assumed he was guilty.

Mr. SCHINE. He was in a sensitive position at the time?

Mr. GROSS. He worked at Coles. I don't know what section he was in.

Mr. SCHINE. Was he friendly with some of these other individuals that we have mentioned?

Mr. GROSS. I don't know. I don't know how to answer that, actually.

Mr. SCHINE. Mr. Jones?

Mr. JONES. Mr. Gross, I wish that you would think this over very carefully and answer to the best of your knowledge, what reasons can you conceive that could logically or in any other way explain your suspension?

Mr. GROSS. I would say that I have reprimanded several people in my group. I have removed them and had them transferred out, because they were not, let's put it, willing workers.

It is very difficult to give a man an unsatisfactory efficiency rating. If you do, you have got—well, the substantiation is not too difficult, but you are going to run into a lot of trouble.

My section chief had that trouble, and he was unclear just because allegations were made by the person he gave an unsatisfactory rating to.

That person I referred to, my section chief, is Dr. Daniels. He asked for me under him as section chief. I am a physicist, and he is an engineer. I have more of the administrative work. I handle the equipments and field tests and a lot of other things and actually the administration of the section.

So in some cases I actually transferred people out. It is not too difficult. I mean, you can swap people, swap secretaries, and what not.

And I am positive it is either that or one or two of the people who I jumped, not in seniority, but in age and what not. Somebody just passed rumors, and they just accepted it. Any rumor you give about anybody is accepted first and investigated later.

Mr. JONES. In other words, you are saying, in effect, that these rumors here evidently were of greater effect or weight on your suspension than your record there.

Mr. GROSS. No, I don't think so. I am going to make a statement which is to the best of my knowledge, and I am not sure. People who have anything said about them that are Jewish or of Jewish descent or of Jewish connections, are immediately suspended or uncleared.

People are not Jewish and have no Jewish connections that have any charge made against them, are kept in and are still working while investigation goes on. That is the only difference between the two setups.

Mr. SCHINE. Can you give us the names of the individuals who have been kept on?

Mr. GROSS. I know of a Dr. Craig Crenshaw who is being investigated by the FBI. That is C-r-a-i-g C-r-e-n-s-h-a-w. He is being investigated by the FBI. He is still handling secret and top secret equipment and programs in connection with it.

Mr. SCHINE. Do you know why he is being investigated?

Mr. GROSS. No, they did not query me on it.

Mr. JONES. How long has this investigation been underway, sir?

Mr. GROSS. I don't know.

Mr. JONES. How did you know he was being investigated?

Mr. GROSS. Other people that were cleared by the FBI happened to mention it.

Mr. JONES. Who?

Mr. GROSS. Dr. Daniels, for one.

Mr. SCHINE. Can you give us the names of some of the others you mentioned who remain on regardless of the fact that they are under investigation?

Mr. GROSS. As definite, I can't. By grapevine and such, possibly yes.

Mr. CARR. What is Crenshaw's position?

Mr. GROSS. He is sectional chief of the Compressional Wave Section.

Mr. SCHINE. In other words, you know the name of one non-Jew who is under investigation, but is being kept on?

Mr. GROSS. No, I would say I know more, but not as definite. I know that when the FBI queried me, they asked me if I knew Alex

Beichek, B-e-i-c-h-e-k. He works in my section. And the questions seemed to indicate that there was some connection between what I was accused of and him. He is still working in there and has never lost his clearance.

Mr. SCHINE. In other words, you know the names of two?

Mr. GROSS. Well, let's see. I don't think I can think of any other names where I have enough concrete evidence. It is just a feeling, and a feeling in connection with a fact, that all the people that have been suspended now, and two years ago—over 95 percent of them are Jewish.

Mr. SCHINE. Do you know that you were under investigation prior to December 19, 1952?

Mr. GROSS. I assume I was. The FBI implied that they had been looking into this for a while.

Mr. SCHINE. And nevertheless you were kept on?

Mr. GROSS. Yes, but I didn't think it was a long period of time. I thought it was a very short period of time.

Mr. SCHINE. Do you know the names of some Jewish personnel who were under investigation who are currently working?

Mr. GROSS. No. I know other Jewish personnel that are uncleared that are out in this detached area with myself, but I don't know of anybody in there that is.

Mr. SCHINE. Would you give us those name, please?

Mr. GROSS. There is Mr. Abraham LePato, L-e-p-a-t-o, and Mr. Edward Brody, B-r-o-d-y.

Mr. SCHINE. In other words, are those all the names you can think of at the moment in that category?

Mr. GROSS. Well, can I supply some more information?

Mr. SCHINE. Surely.

Mr. GROSS. When my wife was secretary there, she worked for Mr. Jones, J-o-n-e-s, William Jones, a Negro, and he was the section chief, and the assistant section chief was Mr. Barry Bernstein.

That section also had their section chief and assistant section chief uncleared for a long period of time, then suspended, and then completely cleared and reinstated, the whole thing taking maybe two years or two and a half years.

Mr. SCHINE. In other words, you first tell us that you feel it is more than coincidence that individuals under investigation who are not Jewish are kept on, and individual under investigation who are Jewish are not kept on.

Then you tell us the names of two individuals, the only two you know of, who are under investigation, non-Jewish, and kept on. You tell us the names of three individuals, including yourself, who are under investigation and have merely been transferred to non-sensitive positions.

Mr. GROSS. Well, now, then, remember, I don't have access to the FBI files, nor to any of the security files at the laboratory. This is a feeling, as I say. It is from all the people in the past that have had investigation. It is just data that has come to me.

The other people that I know of now, Mr. Leeds and his brother, are Jewish. I know Mr. Ducore is Jewish. I don't know what Mr. Martin is, but I think I can say I know Mr. Coleman is Jewish. I will go as far as that.

But I would assume from what I have heard and from what the grapevine says, which is a tremendous thing in any organization like the laboratory, that the feeling is, and it seems to be universal, even between Jews and non-Jews alike, that you have two strikes against you when you start.

Mr. SCHINE. Is it not true that 25 percent of the employees there are Jewish?

Mr. GROSS. Not of the total employees of that laboratory: Maybe of the engineering and the technical personnel, yes.

Mr. SCHINE. Wouldn't you say that is a large percentage of Jewish personnel?

Mr. GROSS. I wouldn't have guessed it at twenty-five. That might possibly be true.

Mr. SCHINE. There is no discrimination, therefore, in the hiring of these individuals?

Mr. GROSS. No, I don't think they can. You see, I think the Civil Service Commission does the hiring, and then you become a part of the military organization.

Mr. SCHINE. In what department do you think the discrimination exists.

Mr. GROSS. G-2, security.

Mr. SCHINE. Do you know the names of the individuals who are discriminating?

Mr. GROSS. It would be just my own surmise.

Mr. SCHINE. What is your own surmise?

Mr. GROSS. That the civilian head of G-2 is anti-Semitic. His last name is Reid, R-e-i-d. I don't know what his first name is.

Mr. SCHINE. How long has he been the head of G-2 there?

Mr. GROSS. I don't know.

Mr. JONES. What is the name of his military counterpart?

Mr. GROSS. I don't know. They change more often than civilians. I would say it was Colonel Sullivan, but I am not positively sure.

Mr. JONES. I think you are right. Colonel Sullivan is the name that was mentioned here yesterday.

Mr. SCHINE. So you really believe that there is discrimination in that department?

Mr. GROSS. I would say so, yes.

Mr. SCHINE. Have you ever done anything about this?

Mr. GROSS. No, I mean every man's religion is his own business. I don't carry any banner for my own or anybody else's.

I served in the navy as an officer, and that is pretty difficult. I never had any trouble. I don't expect it. In fact, I was one of the last to believe it. It is very hard to believe.

Mr. SCHINE. Who was one of the first to believe it?

Mr. GROSS. I don't know.

Mr. SCHINE. It would help us very much if you could think who was one of the first.

Mr. GROSS. I think I heard this three or four years ago.

Mr. SCHINE. Whom did you hear it from at that time?

Mr. GROSS. Possibly the people who were uncleared at that time. Mr. Bernstein, Mr. Salzman was uncleared at that time.

Mr. SCHINE. Would you give their full names?

Mr. GROSS. It is Barry Bernstein, and I don't know Salzman's first name. I think it is S-a-l-z-m-a-n.

Mr. SCHINE. What were their positions?

Mr. GROSS. They worked in the test equipment section, and Mr. Salzman was the technician there and Mr. Bernstein the section chief.

Mr. SCHINE. Are they reinstated now?

Mr. GROSS. Mr. Bernstein was.

Mr. SCHINE. And Mr. Salzman wasn't?

Mr. GROSS. I don't know, I think he left after he was cleared.

Mr. SCHINE. Would that indicate that as discriminatory as they were, they couldn't possibly push one out?

Mr. GROSS. No, they can't, because the final decision on the clearance at that time was made in Washington.

But I can point out that after a person is cleared, he does not necessarily have to get his position back, because that clearance comes back through G-2.

And I have a letter here from the screening board in Washington, which says that you do not need to tell a person that he is cleared after it does come back.

Mr. SCHINE. But in this case one of the gentlemen did get his position back?

Mr. GROSS. They did get their positions back, those two. Mr. Jones, who is a Negro and not Jewish—when you are cleared, you used to get your own position back. He did not.

Mr. SCHINE. In other words, Mr. Salzman and Mr. Bernstein, who thought that it was discrimination that forced them into non-sensitive categories, actually were cleared in spite of the fact that it has to go through G-2, the very place that they felt was discriminating against them.

Mr. GROSS. Well, I am not too sure of this, but I don't think the chain of command worked that way. The papers were all handled by G-2, and then they went down to Washington. It was handled there, and that is tantamount to an order to G-2 to reinstate the personnel.

Mr. SCHINE. And G-2 does not have to give the men their positions back after they have been cleared?

Mr. GROSS. No.

Mr. SCHINE. But in this case they did?

Mr. GROSS. In this case they did.

Mr. SCHINE. What do you think of Mr. Bernstein's and Mr. Salzman's feeling that they were discriminated against?

Mr. GROSS. I think so. Since they were cleared, there were no charges against them that could be substantiated.

Mr. SCHINE. Was the same gentleman head of G-2 at that time?

Mr. GROSS. Yes.

Mr. SCHINE. What was his name?

Mr. GROSS. Reid.

Mr. SCHINE. Have they ever done anything about their feelings of discrimination?

Mr. GROSS. Not that I know of.

Mr. SCHINE. Do you know the charges that were made against them at that time?

Mr. GROSS. No.

Mr. SCHINE. They must have discussed it with you.

Mr. GROSS. You see, my wife was a secretary, and I got this second-hand. I know Barry, Barry Bernstein, that is, slightly.

Mr. SCHINE. What did she say was the nature of the charges?

Mr. GROSS. I think Barry was a member of the AVC, and I don't know what was the matter with Mr. Salzman at all.

Mr. SCHINE. Had they been reprimanded prior to that for any matter?

Mr. GROSS. Not that I know of, I wouldn't know. I mean, I would never have that knowledge.

Mr. JONES. How long has Mr. Reid been security officer?

Mr. GROSS. I don't know. I would say definitely the last five years, and most likely longer? I am not sure.

Mr. JONES. When did these alleged suspensions because of that bias basis start?

Mr. GROSS. I understand it was about two years ago, or three years ago, when this happened. There were about sixteen who were Jewish.

And at the present time, all the six I know of in my group—I mean, not the other laboratories; the six that I see—five are Jewish, and the sixth one, Dr. Daniels' wife is Jewish.

Mr. CARR. Mr. Gross, you say you were not a member of the United Federal Workers?

Mr. GROSS. No, I wasn't.

Mr. CARR. Was your wife?

Mr. GROSS. No.

Mr. CARR. Were you a member of the United Public Workers of America?

Mr. GROSS. No. I never joined any of them.

Mr. CARR. You are sure your wife wasn't a member?

Mr. GROSS. I am positive.

Mr. SCHINE. I asked you before what have you done about this situation that you strongly believe exists? You started to tell me what you had done. I don't recall what you said.

Mr. GROSS. Well, I talked to my lawyer, a Mr. Katchen, in Long Branch.

Mr. SCHINE. When did you talk to him?

Mr. GROSS. Oh, recently, not too long ago.

Mr. JONES. How long ago?

Mr. GROSS. A week or so. Because the matter had broke in the headlines.

But I had had contacts with him through Dr. Nabel prior to that. But he just mentioned the Anti-Defamation League of the B'nai B'rith. And in the same breath he said, "They won't do anything anyway."

So I told him then, "If I do get suspended as a result of any of this, I would like to have you as my lawyer," and left it at that.

But outside, I mean outside the laboratories, or during lunch, we have discussed what you can do, and there is a shrug of the shoulders. There is nothing you can do.

Mr. SCHINE. You waited until recently, when the newspapers indicated—

Mr. GROSS. Well, I did.

But, though that would be surmising, I think others did go to the B'nai B'rith beforehand. I think Mr. LePato went to the B'nai

B'rith, early last spring, and he informed me of that fact, and he saw someone in Asbury Park, and they also told him B'nai B'rith couldn't do anything.

Mr. SCHINE. Have you ever made any complaints to the individuals in charge at Fort Monmouth?

Mr. GROSS. I saw the representative of the inspector general, and I just complained about the whole system, and I got a letter back stating that the commanding officer could take anybody's clearance away at any time in accordance with some regulation. And that was the end of it.

Mr. SABINE. I understand that a group of you met two evenings ago. Would you tell us about that?

Mr. GROSS. We met at Mr. Katchen's office, mainly because he is now apparently collecting information for the Anti-Defamation League, or so I understand,

Mr. JONES. You say he is being retained by the Anti-Defamation League?

Mr. GROSS. I would not know whether he is getting paid for it, or not, but it may appear, because he said he would handle these interviews and what not, with no charge.

Mr. SCHINE. In other words, somebody in the Anti-Defamation League asked him to collect the information?

Mr. GROSS. I think that is the situation.

Mr. SCHINE. Do you know who that is?

Mr. GROSS. No.

Mr. SCHINE. It was in conjunction with this situation at Fort Monmouth? Or did it have something to do with this committee's investigation of the situation?

Mr. GROSS. No, with the situation at Fort Monmouth. It had nothing to do with this. I mean, he just told me to come up here. I asked him point blank.

And he said, "Answer everything that doesn't go against security."

Mr. SCHINE. He has been your lawyer for a long while?

Mr. GROSS. No.

Mr. JONES. You said Dr. Daniels referred you to Mr. Katchen?

Mr. GROSS. Yes. He is his lawyer.

Mr. JONES. And evidently Mr. Katchen had been doing considerable work in the line, along this Anti-Defamation line.

Mr. GROSS. Yes.

Mr. JONES. What council did Mr. Katchen have to offer this meeting the last couple of nights ago?

Mr. GROSS. To answer all questions to the best of my knowledge.

And he said, "You know your military regulations, what you can't talk about."

I said I did. That is 380-5.

Mr. JONES. Who was there, Mr. Gross?

Mr. GROSS. Well, Mr. Lovenstein, Mr. LePato, Mr. Brody. Mr. Martin was there. That was the first time I had seen him in maybe three or four years.

Mr. SCHINE. Didn't you think it was rather unusual that he should expect some of the individuals to tell things that were classified?

Mr. GROSS. No, he didn't question anything that was classified.

Mr. SCHINE. But some of the discussion was classified?

Mr. GROSS. No. We don't talk about classified equipment outside.

Mr. SCHINE. Isn't it true that some of the individuals outlined what they thought might be held against them?

Mr. GROSS. Oh, their charges?

Mr. SCHINE. Yes.

Mr. GROSS. Yes, Mr. Brody read the charges. He has his.

Mr. CARR. What is Mr. Brody's first name?

Mr. GROSS. Ed. I think it is Edwin.

Mr. SCHINE. Isn't it true that in discussing the charges, classified information was discussed?

Mr. GROSS. No. The charges are unclassified, and what was in them is certainly unclassified. They accused Mr. Brody's parents of belonging to the American Labor party.

Mr. SCHINE. Didn't you think it was rather unusual for a lawyer to call a group of people together who are under investigation by a branch of government and gather up all the charges that the FBI is investigating?

Mr. GROSS. It didn't strike me so. Now that I think of it, it may be, but it didn't strike me as unusual at the time.

Mr. SCHINE. What do you think about it now?

Mr. GROSS. Sort of unusual. The only reason I could see behind it was the Anti-Defamation League asked him to. I can't see anything else.

Mr. JONES. This was Dr. Daniels' suggestion anyway, wasn't it, to meet in the lawyers office?

Mr. GROSS. No he was not there that evening.

Mr. JONES. But I mean, it was at his suggestion that Mr. Katchen became interested in this matter and called all of you, called all the persons involved, for a brief discussion of this question; is that right?

Mr. GROSS. I don't know whether it was at his suggestion or not. I couldn't rightly say. It may have been some one of the other people.

Mr. JONES. Who else was at that meeting?

Mr. GROSS. Mr. Goldberg, William Goldberg. Mr. Ducore came in about half way through, or less than half way through.

Mr. JONES. Were there other lawyers there?

Mr. GROSS. Yes, Mr. Harry Green showed up right near the end.

Mr. JONES. Who is Harry Green?

Mr. GROSS. I think he is Mr. Ducore's lawyer.

Mr. JONES. Mr. Ducore's lawyer?

Mr. GROSS. Yes.

Mr. JONES. And what was the name of the other lawyer?

Mr. GROSS. I don't know. There was another man there. I didn't know whether he was a lawyer or not. He seemed to be a friend of Mr. Katchen's.

Mr. JONES. Did he participate in the discussion?

Mr. GROSS. Yes, he did.

Mr. JONES. To what extent?

Mr. GROSS. Asking questions.

Mr. JONES. Would you believe that he may be a representative of the Anti-Defamation League.

Mr. GROSS. It didn't occur to me.

Mr. JONES. On the basis of what he said?

Mr. GROSS. No. I didn't think so. But he may be. I am not sure.

Mr. RAINVILLE. Are you a member of the B'nai B'rith?

Mr. GROSS. No, sir; I am not.

Mr. RAINVILLE. Are you affiliated in any way with the Anti-Defamation League?

Mr. GROSS. No, sir; I am not.

Mr. SCHINE. Who were the other individuals there?

Mr. GROSS. I said, Mr. Lapeto, Mr. Brody, Mr. Goldberg, Mr. Lovenstein, Bob Martin, Bernard, as you call him. I thought his name was always Bob. I didn't know it was Bernard.

And Ducore. And there seemed to be somebody sitting over here, in that room, but I can't think of who it was.

Mr. SCHINE. It will come to you. If the emphasis for the discussion, the reason for the meeting, was the situation at Fort Monmouth, rather than this committee's current investigation, why is it that the question of the methods of this committee arose, and who brought it up?

Mr. GROSS. I don't know. I don't know whether it was brought up as "methods," or not.

It was just the matter of being investigated, and that was all, period.

Mr. RAINVILLE. Was it the feeling that this committee was responsible for the changes in your classification?

Mr. GROSS. No, not in mine. Let's put it that way. I think it was suggested by someone there that the army only uncleared these people after they knew you were going to call us, but that was open to debate, because nobody knew when the committee here sent a list of names down that they wanted to speak to. So we just dropped out. That was discussed, but nobody had any idea on it.

Mr. RAINVILLE. Did you have another meeting discussing this thing last night?

Mr. GROSS. I did not attend it.

Mr. RAINVILLE. Was there one?

Mr. GROSS. Maybe. I don't know. I can't say at all. I only spoke to one person last night on the phone, and he just wished me the best of luck and said, "Just keep calm."

Mr. RAINVILLE. Was he a person who had been called before this committee?

Mr. GROSS. No. Mr. LePato called me. We got to know each other there in this area. That was the first time I knew him.

Mr. RAINVILLE. Would you know whether or not it is customary for the FBI to investigate people, not only for removing classification status, but for promotions?

Mr. GROSS. I would say as far as I know the FBI had nothing to do with promotions or investigating people for clearance in connection with promotions.

Mr. RAINVILLE. Then you wouldn't know that an FBI investigation ever preceded a man's promotion from one job to another?

Mr. GROSS. No. It seems sort of fantastic. Because I was promoted about a month before I was uncleared. And I never even knew why I was being handed the promotion. I guessed it was for doing good work. I didn't know.

Mr. RAINVILLE. May I ask you this question. This unrest is occasioned by the firing or the changing of status of certain people out there. Would those people be confined to one or two particular types of work, or does it spread all through the organization, into everything that is done out there?

Mr. GROSS. The present setup seemed to be confined to well, these people in the paper were connected with the radar branch. Dr. Daniels and myself are connected with applied physics. Mr. Brody and Mr. LePato were connected with the thermionics branch. So there are three branches at Evans, all of which have been hit.

Mr. RAINVILLE. Are there more branches at Evans?

Mr. GROSS. I think two more, spec and drafting, specifications and drafting, it would be known as, and meteorological. I think there is one other.

Mr. RAINVILLE. Then about half of the divisions out there have actually been touched?

Mr. GROSS. Yes.

Mr. RAINVILLE. Have they been touched in such a way that the people involved are involved in the same type of work, that is to say; you work in your particular division but you must work with other divisions on certain specific problems?

Mr. GROSS. No, we don't. There is very little connection, the Radar Branch works on radar, and I don't know what they are doing. It is military radar, period. That is out. We are in a more basic research line. We don't work with the final equipment, except in isolated cases. You may be familiar with the old moon radar, which hit the moon in 1946. I have that now. It is an unclassified project. That is the only reason I am mentioning it. But that is not radar in the sense of military radar. This is entirely different. This is something which you don't use for any military applications. It is a research tool. I mean, we are doing research. They are doing equipment. There is a distinct difference between the two.

Mr. RAINVILLE. But if they ran into a snag with their equipment, they might call you in for further research?

Mr. GROSS. Only as we are connected on propagation. I mean, just in that, nothing else. I mean, we are not connected with anything they would have trouble with in designing a set. We would only be in the use of the sets.

Mr. RAINVILLE. There are only two other things that run through my mind. One, in this group of people who were called together night before last to sit down and discuss with the attorney the various problems confronting them, you say you never belonged to any organization that in any way was controversial. Didn't you stop and think: What am I getting into here? I don't know anything about these people, except casually I met three or four of them in my work. Am I possibly now aligning myself with some people who may have something against them, whereas I am only involved in this thing for perhaps clarification, or something else?

Mr. GROSS. It occurred to me, and I said, "Well, they are all Jewish."

He asked us at the beginning whether we would stand on the Fifth Amendment here, or anything like that. Everybody said they wouldn't. I put in writing to both Representative Auchincloss and the inspector general that I am not a Communist, never have been,

and never had any connection with them. So I figured I had nothing to lose, and this was not doing anything except talking about it.

Mr. RAINVILLE. Except that in the association there you might be involving yourself with somebody who, totally unknown to you, would be deeply involved in espionage or something else.

Mr. GROSS. But I might meet a man on the street, or rub shoulders with him at a lunchroom, and the same thing would be true.

Mr. RAINVILLE. You would put that in the same category as meeting with men who might be suspects for some reason or other? You would assume that a man who attended a meeting on invitation and aligned himself with that group would be in the same category as a man who accidentally sat down to the table and passed a fork?

Mr. GROSS. No, but I know Mr. Brody, Mr. LePato, and I know my own case.

Mr. RAINVILLE. How well do you know those men? I mean, can you say here, now, categorically, that there is nothing to any charge against those people, that nothing can be substantiated?

Mr. GROSS. No; obviously I can't say that.

Mr. RAINVILLE. What do you know about Mr. Goldberg?

Mr. GROSS. Nothing, except that he seems like a nice sort of person, and a little worried.

Mr. RAINVILLE. And yet by putting your presence there at what amounts to a committee, you were perfectly willing to say that by coming in and sitting down and counseling with these people, "I accept them as being cleared"?

Mr. GROSS. No, if they had given me any statement that it was Communist, I would have walked out.

Mr. RAINVILLE. Yes, but you see, your mere presence there built up a committee.

Mr. GROSS. Well, if I went to a lawyer, I wouldn't investigate the lawyer first.

Mr. RAINVILLE. Let's take it out of this field entirely. Let's talk about the Red Cross.

In your community when they want to raise funds, whom do they go to, to put on the committee? People who are known and recognized and give substance to the drive by the fact that they are leading citizens?

Mr. GROSS. Yes, sir.

Mr. RAINVILLE. All right. You were part of a committee that is going to fight this anti-Semitism, or whatever it is, these unfair charges, even if it is not concerned with that. You were part of a committee, and you were putting yourself on that letterhead.

Mr. GROSS. No, they are not forming any committee that I know of.

Mr. RAINVILLE. But the mere fact that they had a meeting is a committee. I mean, everybody that comes into this room now and talks about that meeting you would ask "Well, who was there," and they would say "Gross was there."

Mr. GROSS. Well, that is true.

Mr. RAINVILLE. I mean, I don't say it was a mistake, but I am wondering if you are aware of what you have done in that connec-

tion, and if you really mean to say that you are standing up as a witness for them against any of these charges?

Mr. GROSS. No. I mean, nobody asked for an affidavit attesting that I know that this person is not a Communist, and I wouldn't have given it to him unless I knew it.

Mr. RAINVILLE. He didn't ask you to go to the committee meeting either, and I don't know whether G-2 asked you to go to the committee meeting.

Mr. GROSS. No; they didn't, of course.

Mr. RAINVILLE. You see, it was a voluntary move on your part.

Mr. GROSS. But I was going originally to see a lawyer, because I knew the lawyer had handled other people's cases.

Mr. RAINVILLE. But he was to be your lawyer, by agreement?

Mr. CARR. No, I had made no agreement with Mr. Katchen until after that meeting. And then, well, I said, "I don't have a lawyer," and he asked us if any of us had counsel and he would get in touch with them. Some of the people did have counsel.

Mr. RAINVILLE. I was under the impression that you said you had talked with him before this meeting.

Mr. CARR. Who were some of the counsel at this meeting?

Mr. GROSS. I remember Mr. Green. I don't remember the other persons' names. They were mentioned and forgotten.

Let me go back a little in history. Most of the people that are being hauled out here to your committee meeting were notified a day before I was. They were notified at Squire Laboratory, and I was called the next day. I guess this was Wednesday, and I was told at 10:30 in the morning at the G-2 building. That was an entirely different building, and everybody thought, "Boy, here is an entirely different case."

I went up, and it was Colonel Sullivan again, and he told me the same story. Now, Mr. Goldberg and Mr. Lovenstein wanted to ask him questions about what they could or could not say here. So I went in first to see the colonel, and he said, "I am just a messenger boy, and you have been asked to testify to the committee, and would you want to go?"

I said, "Of course. I have nothing to hide." I said, "I know Mr. Goldberg and Mr. Lovenstein want to ask you some questions about what they can or cannot say, so may I sit here and listen also?"

So Mr. Reid went out and got the other two people waiting outside, and came in, and he just reiterated that 380-5 covered everything. We knew that anyway.

They asked one or two questions, which meant nothing to him, I think, about whether they could name other people that were uncleared. And he said, "That is not classified information, so of course you can."

From that office there, we went for the first time—it was about lunchtime, to Mr. Katchen. I heard his name, and no doubt Nagel spoke to him about me, but it was the first time I had met Mr. Katchen personally. I would have met him if he had been in. Let's put it that way—his secretary was in, and we just left a message that I had called. And we came back and saw him at 3:30 that afternoon. I took two hours annual leave from work to accomplish that.

Mr. RAINVILLE. Who suggested that you go at that time?

Mr. GROSS. We thought as we were going up there we might possibly need counsel. I had been at technical meetings and quizzed technically on subjects, but I have never been at anything like this before, and I am not a lawyer, have no connection with that, and I am an engineer, and you get sort of specialized, and I just thought a lawyer may help. He didn't help. I would have done the same thing whether I went or didn't go.

Mr. RAINVILLE. What I am getting at: The three of you were sitting there, and apparently the idea crystalized at that meeting that you were going to go up and see the attorney. It must have been, because normally you wouldn't have gone to see him without an attorney.

Mr. GROSS. That is right. We would have called.

Mr. RAINVILLE. Who crystalized that opinion?

Mr. GROSS. Well, I had been told—let's see. Who told me, exactly? Somebody told me that Mr. Katchen had my name as one of the cases, and if I could possibly get to see him some time it may be helpful. I think "I" in a way, would have been "the three of us," since we were up there anyway, and right near it, to go over at lunchtime.

Mr. RAINVILLE. Then you suggested that the three of you go over and see him?

Mr. GROSS. By the way, there were four, Mr. LePato went over at that time.

Mr. RAINVILLE. But he was not in with Colonel Sullivan. He met you on the way over and joined you and went on over?

Mr. GROSS. Yes.

Mr. RAINVILLE. There was one word you used in referring to your coming down to this meeting, and I just wondered whether it was just accidental or reflected an attitude. You say you were going to be "hauled down" to this meeting.

Mr. GROSS. I didn't say "hauled," I said "called." I am sorry.

Mr. RAINVILLE. I wrote it down at the moment. Maybe you meant "called."

Mr. GROSS. I was perfectly willing to come. I consider myself not guilty of anything, and certainly not violating any of the government's regulations in connection with security, and I figure that everything I can do to help or to clear it up, I will, but I consider the fact that I am not cleared as very detrimental to the government. I mean, I am not an egotist, there are a lot better engineers than I am, but I have a lot of knowledge, and they have to have it for certain problems, and if I am not cleared, they do not have it, period. And that goes for Dr. Daniels and quite a few other people. You get to be a specialist, and you can't replace a specialist in six months or a year. It takes a long time to do it.

Mr. RAINVILLE. Maybe you can answer, then, a question that came up in my mind yesterday.

We had a gentleman testifying here who seemed to be quite an expert in certain work. Yet every time you asked him a question about last year, or when did he go to work here, or what was the firm's name, or who did he work for, or anything like that, he was very unclear. He couldn't remember even two years ago. And if you talked to him about his past, you would assume that the man was

a graduate of the fifth grade—day laborer, and that that is as far as he could go. And yet he turns out to be skilled technician, a very skilled technician.

In your experience over there in the laboratory, would you say that there was anything contrary in that?

Mr. GROSS. I would say that would be an exception, an "absent-minded professor." You know that type.

Mr. RAINVILLE. This wasn't absent-minded.

Mr. GROSS. I don't know the person you are referring to.

Mr. RAINVILLE. He couldn't remember family names, and things of that kind, and there was no impression of being absent-minded. He just said he couldn't remember. Not categorically, "I don't remember that," but "It could have been here," or "was about that," and so forth and so on. There was no definitive answer to any single question.

Mr. GROSS. I would assume a person with a memory for technical subjects should be able to remember most of everything else. I don't think your brain is selective as to what you can or cannot remember.

Mr. RAINVILLE. I would assume so from your answers, which are very specific and to the point. You may not remember an exact day in a given month, but you remember it was either September 15th or about September 15th, and the year. He had difficulty remembering the year. He couldn't even get close to the month, and the day was beyond him.

Mr. GROSS. I have got a good memory.

Mr. RAINVILLE. But this would not be normal in your contact with the people over there?

Mr. GROSS. No.

Mr. RAINVILLE. I have nothing further to add.

Mr. SCHINE. This Communist party member who lived in the house where you were a bachelor, would you repeat his name, please.

Mr. GROSS. Morris Klein. Let me say I don't say he is a Communist party member. I just say I understand that afterwards he was removed or suspended or fired, but he is no longer working there. And the grapevine told me then—I did not know at the time I knew him—that for some reason he or his family had Communist connections.

Mr. SCHINE. Did you know the year he was suspended?

Mr. GROSS. I think it was after I left there, and maybe the first year after I was married. 1950 would be a good guess, but it could be '49.

Mr. SCHINE. Who else was suspended along with him at that time?

Mr. GROSS. I don't think anybody was. I think that was just an isolated case.

Mr. SCHINE. Have you seen him since?

Mr. GROSS. No. I mean, all the bachelors lived there, and there was only one or two good restaurants in town to eat at, and I would see him there, and I think I even double dated with him once, but that is as far as it went.

Mr. SCHINE. There are a certain group of individuals who came from City College over to Fort Monmouth who were in school at the time you were there. Could you give us their names?

Mr. GROSS. Well, let's see. Not in connection with this. I know a Mr. Harold Stein very well. I went to high school with him. And in college he was a physicist and I was an engineer, so we didn't see each other too much. But I went to college with him, and I came to work, and he came to the same place two weeks later. He lives in Long Branch now, or somewhere right near Long Branch.

Mr. SCHINE. Is that S-t-e-i-n?

Mr. GROSS. Yes. I mean, I would say Harold was a close friend. Let's put it that way. I have met his wife and his children, and my wife has met his wife and children. But the other people that went to college at the same time—right off I can't think of any of the names—Oh, Paul Leeds. His name was not Leeds at the time. He was an electrical engineer.

Mr. SCHINE. What was his name at the time?

Mr. GROSS. I think it was Leibowitz. Let's see. He was either half a year ahead of me—you know, at City, you can start in the middle, and I think he overlapped a year or two one way or the other. I don't know whether he graduated at the exact same time or not.

Mr. SCHINE. Did he tell you of the charges that had been brought against him?

Mr. GROSS. No, Paul and I are very peculiar. We went to college. Then I met him maybe once after that. Then somewhere in Penn Station I said, "Where are you working, Paul?" He said "Oh, I am down at Fort Monmouth." I said, "That is odd. So am I." Then I didn't see him, oddly enough, until Okinawa. It was just after the war was over, and this man walked over to me and says "You are Gross, aren't you?" and we talked. I didn't see him then until two years later, back in Red Bank. And then I just saw him again maybe a couple of months ago. And I came up here in the car with him today.

Mr. SCHINE. Did he tell you why he was being called before this committee?

Mr. GROSS. No. He said he didn't know what the charges were.

Mr. JONES. Mr. Gross, how well do you know Paul Goldberg?

Mr. GROSS. Paul Goldberg? Never heard of him.

Mr. JONES. Is that his first name?

Mr. GROSS. William?

Mr. JONES. William.

Mr. GROSS. No, I just knew he worked at the laboratory, and I knew he spent two years in England as a liaison for them. I never met him outside, never worked under him or anything, in the laboratory.

Mr. JONES. Do you know that his brother-in-law was a Communist?

Mr. GROSS. No, I never did.

Mr. JONES. He had never mentioned that, as a result of your acquaintance with him, especially during the past few days.

Mr. GROSS. No, he didn't. In fact, that strikes me as very odd, because the lawyer asked us definitely if any of us knew any Communist connections, and most of us said outright that we didn't.

And, as I remember, Mr. Goldberg didn't say anything at the time.

Mr. JONES. Mr. Goldberg made no reference at that time to his brother-in-law?

Mr. GROSS. No.

Mr. RAINVILLE. Who were the others who made no reference? You said "most of us said this."

Mr. GROSS. You see, the seating arrangement happened to be with Mr. Goldberg sitting there and I sitting in back of him, and I noticed that. But I didn't notice the others. I know Mr. LePato I heard definitely say "No, I have no possible Communist relationships." In fact, he also told Mr. Katchen what the charges seemed to be against him, that he lived in Washington Village at the time somebody lived next door to him that was a Communist.

Mr. JONES. Goldberg strikes me as being quite a worried man. What seems to be bothering him? You mentioned it earlier here today, too.

Mr. GROSS. I don't know. I went out at noon yesterday to get my car inspected. At that time there was a phone call to ask Mr. Goldberg to come up here yesterday afternoon instead of today. He was due to come up here today, and I found out that Dr. Daniel had said he looked so worried that he called up the nurse to get him two pills. So he must have been really worried.

Mr. JONES. What do you believe is bothering him?

Mr. GROSS. I don't know. I don't know him well enough to even think of that.

Mr. JONES. He never gave you any indication or gave Dr. Daniels any indication at that time, when he offered to get him some pills?

Mr. GROSS. I never talked more than two words to him until he moved down to the uncleared area. I can't even remember the date. It has been two or three weeks ago, maybe. And that is the only time I got to know him. It is a question of "Are you going out for lunch?" Or something like that, because everybody is sitting around.

Mr. JONES. Mr. Gross, have you ever had any knowledge brought to your attention, either directly or indirectly, as to any subversive activities at Fort Monmouth?

Mr. GROSS. No. The army has very good security regulations there. We don't have any trouble.

Mr. JONES. When you say "security regulations" are you referring to the present system or the old system?

Mr. GROSS. I am referring to 380-5. They have amplified that with the Blue Book. But I have been uncleared for nine months, so I don't know all the details. There are a lot of other ones that have cropped up since then. I would go so far as to say, though, that security is too strict for a research organization. You can't do research, and you can't contact people in naval laboratories, the air force laboratories, if the regulations are so strict that it is impossible to transmit information which they need or to get from them information which you need, without a terrific amount of paper work.

380-5 says you have a law of diminishing returns. If you do too much, you can't do any other work. If it takes me four hours to get papers out and everything ready to work, and four hours to put

them away, according to the checkout system, I can't work any more than day. I think the regulations were adequate under the old system.

I think the biggest trouble they ever had there was just absent-minded people leaving safes open; and after you got a double-check system on safes, you have security licked. Because if you take papers out of an area, or anything like that, you either have a whiz pass or, I think, the card number is 558, a little card which says "The bearer is authorized to carry up to a certain classification outside" which means that if I go to Washington, I don't need to go through all the formality of getting a whiz pass. If I have a card, I can just take the papers and go. That has some drawbacks, especially if you run into absent-minded people. So a while back, instead of anybody having up to secret, I think only branch chiefs were up to secret, and section chiefs up to confidential, and other people up to restricted.

There is the other problem you may have to take equipment out, not classified. You may work in an outside area and have to make a field test. On the basis of that card you can take out equipment. And if the supervisory personnel, in my case Dr. Daniels, is on the ball, everything is checked in and out of the safes, and you have a good security control, and you do not interfere too much. After all, if I want to sell a system to people there, I have to see the army's point of view, and the civilian's point of view, and the civilian's point of view is always that "You are interfering with me." Not in my case, so much. I have been an officer, and I know both sides. But you find other people who will always say "It is too strict." I think it is adequate. "Adequate" of course, isn't a good word.

Mr. JONES. So you think it is virtually impossible under the present setup there, to remove any top secret or secret information from Fort Monmouth; is that correct?

Mr. GROSS. Yes.

Mr. JONES. In other words, in all the years that you been out there, you have never had any knowledge either directly or indirectly of any subversive activities in any way whatsoever?

Mr. GROSS. No.

Mr. JONES. Never heard anything about it?

Mr. GROSS. No.

Mr. JONES. Nothing on the grapevine at all—that you referred to a few moments ago?

Mr. GROSS. Well, like Mr. Klein was removed for something in connection with Communists.

There was another case way back, when I first came back from the navy. And Mr. Sobell was removed from Mr. Stodola's section.

And they took a man—I think his name was Albert Socol, I think S-o-c-o-l, but it may be S-o-k-e-l; I don't know. But he was in the section one day and gone the next. They just had people come in, who took him out, up to security, bingo, went through his desk, and that was the last I ever saw of him.

Mr. SCHINE. Has anybody ever been reprimanded for taking classified material home, or anything of that sort?

Mr. GROSS. No, not in my group, or not among the connections I had. A reprimand wouldn't be publicized other than that.

Mr. SCHINE. Is there any regulation regarding a breach of that particular security—taking home classified documents?

Mr. GROSS. I understand that Mr. Coleman, I think it was—the grapevine informed me—had taken some stuff home, but I don't know what happened.

Mr. SCHINE. Would you say that a situation of that sort could be of danger?

Mr. GROSS. No, not if you know what you are doing. Well, let me give you an example.

The military still sends you courses as a reserve officer, and all they want to know is whether you have adequate facilities there for storing it. You have to have a locked desk, a locked room, or something adequate to store courses connected with it. Therefore I would assume that anybody who took anything home would have the same adequate facilities for storing it, until it was brought back. I mean, I have never taken stuff home other than when I was at work and had papers, and was going to Washington that night on a train, leaving from Jersey City, I guess, at 12:30. So I would go home and have supper, and I would have this exact briefcase [indicating], with something in it, and either permission by whiz pass or permission by the card which I carried, to get it out of the gate, show it to the guard, take it out, go down to Washington, and sit at the meeting. It slept with me in the Pullman. I'd come back that next night, checked back into our own system in the office, and that was that.

But I think it is sort of silly to take it home to study at home. If you can't study, what the heck are you going to do? There are too many distractions at home, and it is, of course, not as adequately protected.

Mr. JONES. Have either you or your wife been approached to become members of the Communist party?

Mr. GROSS. No, we were never approached.

Mr. JONES. Never asked in any way to attend meetings, or join the party?

Mr. GROSS. No, never.

Mr. JONES. I have no more questions.

Mr. SCHINE. Thank you very much.

Will you state your name for the record, please?

STATEMENT OF DR. FRED B. DANIELS

Dr. DANIELS. Fred B. Daniels.

Mr. SCHINE. Will you spell it, please?

Dr. DANIELS. Fred B. D-a-n-i-e-l-s.

Mr. SCHINE. And your current occupation?

Dr. DANIELS. Physicist.

Mr. SCHINE. You are working at Fort Monmouth.

Mr. DANIELS. Yes, sir.

Mr. SCHINE. What is your classification there?

Dr. DANIELS. GS-14.

Mr. SCHINE. And your duties?

Dr. DANIELS. I am the chief of the Electromagnetic Wave Section.

Mr. SCHINE. And how long have you been doing this work?

Dr. DANIELS. Since about the early part of 1951. I can't tell you any exact date on that, because it was sort of a gradual overlapping of duties when I took over, from my previous one.

Mr. SCHINE. Where did you get your training, Dr. Daniels?

Dr. DANIELS. I got my bachelor's and master's degrees at the University of Nebraska, and my doctor's at Texas.

Mr. SCHINE. And after leaving college, would you tell us briefly of your career?

Dr. DANIELS. Well, I got my degree rather late in life, in 1938. I was thirty-seven at the time. And first I couldn't get a job. They were rather scarce then. I worked as a salesman in a photographic store for a while. It must have been about eight or nine months.

Then I got a job in what was then called AGFA in Binghamton. It is now the ANSCO Corporation. I was doing photographic research. That was in February of 1940.

I worked there until July 1940 when I was offered the job at Fort Monmouth, and it was a better paying job, and so I took that, and I have been at Fort Monmouth ever since.

Mr. SCHINE. And what was your position when you worked at Fort Monmouth?

Mr. DANIELS. I started in as a P-2.

Mr. SCHINE. Which is what?

Dr. DANIELS. Well, let's see. That would be a GS-7, under the GS rating.

Mr. SCHINE. What were your duties at that time?

Dr. DANIELS. I was doing work in the field of optical telephony.

Mr. SCHINE. And how long did you stay in that work?

Dr. DANIELS. That was probably about a year that I was working on that.

Mr. SCHINE. And then in 1941, what did you do?

Dr. DANIELS. I think my next work was in the field of submarine detection, after optical telephony.

Mr. SCHINE. And how long did you continue on in that job?

Dr. DANIELS. Well, maybe roughly six months to a year. I can't tell you exactly.

Mr. SCHINE. And when did you take over the position you now have?

Dr. DANIELS. That wasn't until 1951. In the meantime I spent quite a long time, from the time I finished my work on submarine detection, which was taken over by the navy, that is the reason I dropped that. Then I worked in sound ranging, until—it must have been somewhere around 1946 or 1947.

Mr. SCHINE. Would you continue the description of your work?

Dr. DANIELS. Then, after I finished my work in sound ranging, I was associated with a very highly classified project. I can't even tell you what it is.

Mr. SCHINE. This started in what year?

Dr. DANIELS. I believe it started around 1947.

Mr. SCHINE. And you continued on in that position until—

Dr. DANIELS. Until some time in 1950.

Mr. SCHINE. And then you came into your current position there?

Dr. DANIELS. My current position.

Mr. SCHINE. And you say your duties in your current position are what?

Dr. DANIELS. Research in the field of electromagnetic wave propagation, and some in compressional wave, too. There are certain things I am interested in in that field.

Mr. SCHINE. Are you head of a department?

Dr. DANIELS. Yes; head of a section.

Mr. SCHINE. Head of the propagation section?

Dr. DANIELS. The Electromagnetic Wave Propagation Section. There are other wave propagation sections, too.

Mr. SCHINE. And you are cleared for security in every way? Classified material?

Dr. DANIELS. Beg pardon?

Mr. SCHINE. You are cleared for classified material?

Dr. DANIELS. Not now.

Mr. SCHINE. Oh, you are not?

Dr. DANIELS. I was suspended—or, I wasn't suspended, but my security clearance was suspended, about a week ago.

Mr. JONES. Why?

Dr. DANIELS. I don't know. I can guess.

Mr. SCHINE. Why do you think it was?

Dr. DANIELS. I think it is just a rehash of a situation that started years ago, when I gave an incompetent individual there an unsatisfactory efficiency rating, who worked for me.

Mr. JONES. Who was that man, sir?

Dr. DANIELS. Harry Brandt was his name.

Mr. JONES. Harry Brandt?

Dr. DANIELS. Harry Brandt. I am not too sure whether his name was B-r-a-n-d or B-r-a-n-t or B-r-a-n-d-t.

Mr. SCHINE. Is it true that you have at one time or other belonged to organizations listed as subversive by the attorney general's office?

Dr. DANIELS. You say have I belonged to any of those groups?

Mr. SCHINE. Yes.

Dr. DANIELS. No, never have.

Mr. SCHINE. You have never belonged to any union or any other front organization?

Dr. DANIELS. Well, I have been a member of two unions since I have been there. I was first a member of the National Federation of Federal Employees, and at the time I sized them up as more of a drinking society than a union, that spent more of their time at the bar than at the meeting hall, and when the United Public Workers was organized, I joined that. I actually never attended a single meeting. I paid my dues for two or three years.

Mr. SCHINE. What was the name of the other union?

Dr. DANIELS. The United Public workers of America. It changed its name once or twice.

Mr. CARR. Were you ever a member of the United Federal Workers?

Dr. DANIELS. United Federal Workers? No.

Mr. CARR. What year was it you joined this United Public Workers?

Dr. DANIELS. Maybe it was '42 or '43, somewhere along in there.

Mr. CARR. How did you happen to join this? You had been in the other group?

Dr. DANIELS. I had been in the other union, and I believe I had already dropped out of the other one for some time. They organized this union, and because the other one was quite ineffective, I thought it might be a good idea if they had a little competition, so I joined the new one.

Mr. CARR. Had you ever heard any information concerning the United Public Workers of America before you joined them?

Dr. DANIELS. No. It was a new union at that time, as far as I knew.

Mr. CARR. Have you since learned that some of the members of that union and some of the officers were Communists, or Communist-affiliated?

Dr. DANIELS. I know it has been claimed that there were a number of Communist members. I don't know to what extent that applied to the local there, because, as I say, the only contact I ever had with the union actually was with a man who came around once a month to collect dues. I gave him the money, and I understand that he was expelled for Communist activities.

Mr. CARR. The man who collected your dues: what was his name?

Dr. DANIELS. Socol, S-o-c-o-l.

Mr. CARR. Do you recall his first name?

Dr. DANIELS. I have no idea.

Mr. CARR. Your only connection with the union was through a man who has been suspended for alleged Communist activity?

Dr. DANIELS. Yes. My only connection with them, or with him, was that he collected the dues. He would come around once a month, and I would give him the two dollars. I never had any other connection.

Mr. CARR. If you weren't active in this union, what was your connection with them?

Dr. DANIELS. My connection was that I gave them two dollars a month.

Mr. CARR. Why?

Dr. DANIELS. Beg pardon?

Mr. CARR. Why? Did you derive any benefits from it?

Dr. DANIELS. Well, no more than the fact that once I got started, I just kept on paying.

Mr. CARR. Were these payments continued after you had heard that the United Public Workers, at least certain of the national and some of the local officers, were affiliated with the Communists?

Dr. DANIELS. As soon as I heard about Socol, I stopped paying my dues then.

Mr. CARR. How many years did you pay dues?

Dr. DANIELS. I paid dues for two or three years, probably.

Mr. CARR. Two or three years beginning in what year?

Dr. DANIELS. It could have been from '43 to '47. The first year could have been '43 and the last year '47.

Mr. CARR. What was the name of the local?

Dr. DANIELS. I don't recall.

Mr. CARR. You don't even recall the number?

Dr. DANIELS. I don't recall that.

Mr. CARR. Do you recall any of the officers of it besides this man Socol?

Dr. DANIELS. I never knew any of the officers except that someone in the past few days told me Bill Jones was the president, or whatever you call the local head, at one time.

Mr. CARR. And you received literature from the union?

Dr. DANIELS. Very little. I remember once receiving statements and correspondence from them in connection with this oath that they had to sign regarding the right to strike and they said that they agreed with the government that federal employees had no right to strike, and so the union was taking a stand.

Mr. CARR. The only one you remember in which they agreed with the government's stand. You don't recall any other literature you received from them?

Dr. DANIELS. No, I don't. I do remember that at the time the union started up, there was some sort of a bulletin pasted on the bulletin boards there by the fort authorities saying that it was perfectly all right to join this union.

Mr. CARR. You never attended any meeting?

Dr. DANIELS. I never attended a single meeting of it.

Mr. CARR. Was the man that solicited you to join this same man, Socol?

Dr. DANIELS. I couldn't even tell you who asked me to join.

Mr. CARR. And you had no idea that there was any Communist tinge to this or any alleged Communist tinge to this union?

Dr. DANIELS. I had no idea at all.

Mr. CARR. Until Socol was suspended?

Dr. DANIELS. Until Socol was suspended and I read the story about him.

Mr. CARR. Then what did you do? You immediately dropped your membership? Or you just failed to rejoin?

Dr. DANIELS. Well, because he didn't come around to collect, I naturally stopped paying. Of course, I would have stopped anyway as soon as I found out it was Communist.

Mr. CARR. Didn't you take part in any of the activities of the local?

Dr. DANIELS. No.

Mr. CARR. You never distributed any of their literature yourself?

Dr. DANIELS. No.

Mr. CARR. Was your wife a member of this organization?

Dr. DANIELS. No.

Mr. CARR. Does your wife work?

Dr. DANIELS. Let's see. Well, I got a divorce in '43 and immediately remarried, and my present wife worked at Western Electric for a while after the war and then was in the Department of Censorship here in New York.

Mr. CARR. Now, you have said that you yourself have never been a member of the Communist party.

Dr. DANIELS. I never have.

Mr. CARR. Or any alleged front organization of the Communist party?

Dr. DANIELS. Never any front organization either.

Mr. CARR. How about your wife?

Dr. DANIELS. I am sure she never has.

Mr. RAINVILLE. You mentioned two wives. Either of them?

Dr. DANIELS. As for the first one, the only thing I knew she was ever a member of was the DAR, and the second one I don't know that she ever joined anything. She is not the joiner type.

Mr. SCHINE. What was Socol doing at the time he was collecting dues from you?

Dr. DANIELS. I don't know what his duties were.

Mr. SCHINE. Do you know where he worked?

Dr. DANIELS. Don't even know where he worked.

Mr. RAINVILLE. Do you know what his classification was?

Dr. DANIELS. I don't know.

Mr. RAINVILLE. But he came to see you in your office?

Dr. DANIELS. Yes, during lunch time.

Mr. RAINVILLE. Was it possible for any one to just walk around there without some kind of clearance?

Dr. DANIELS. Well, he was cleared at the time, probably. Everybody in there presumably was.

Mr. RAINVILLE. But you don't know that he was. You never inquired?

Mr. DANIELS. Well, of course, the laboratories have always been guarded. And, of course, some people have worked in the past without clearance. But when a man comes into your room for any reason whatsoever, you don't ask whether he has clearance unless he wants to talk about classified matters. The situation has been changed recently, of course.

Mr. SCHINE. Isn't it true that you were working on a highly confidential project at that time?

Dr. DANIELS. No.

Mr. SCHINE. What year was that?

Dr. DANIELS. Let's see. The highly classified projects started probably in '47, that I mentioned before. I can't tell you the exact year.

Mr. SCHINE. And when was Socol collecting dues from you?

Dr. DANIELS. Wait a minute. I will take that back. The classified project started earlier, but I wasn't associated with it until possibly as late as 1950.

Mr. SCHINE. And when was Socol collecting dues?

Dr. DANIELS. Beg pardon?

Mr. SCHINE. When was Socol collecting dues from you?

Dr. DANIELS. I think '47 was the last year he collected dues.

Mr. SCHINE. You had no connection with classified projects at that time?

Dr. DANIELS. Yes, I had connection with classified projects. I think the highest classification was confidential at that time.

Mr. JONES. Dr. Daniels, when was your security clearance lifted?

Dr. DANIELS. A week ago last Tuesday.

Mr. JONES. Now, you said you had reason to believe that this was lifted because of an efficiency rating that you gave to Harry Brandt?

Dr. DANIELS. Yes.

Mr. JONES. Will you explain that a little for us, please?

Dr. DANIELS. Well, this man Brandt worked for me on a field trip, when we went out to Wyoming to make some observations, when some excess munitions were detonated, in Idaho.

Mr. JONES. In what year?

Dr. DANIELS. This was '46.

Mr. JONES. You were a member of the United Public Workers at the time?

Dr. DANIELS. At that time, yes. And the project was unclassified, particularly the project that Brandt was working on with me. It was just the determination of the temperature and wind in the upper levels of the atmosphere by observations on sound from the explosions that were being set off. Brandt was a radio mechanic working under me at the time. I was in charge of the expedition. I found him to be quite incompetent. He had professional status, but he certainly wasn't a professional man at all. And he did a number of things in such an incompetent manner that I had to reprimand him right on the spot for some of the things that he did. And, as a matter of fact, some of the things amounted to almost deliberately sabotaging the experiment.

Mr. RAINVILLE. You didn't suspect deliberate sabotage?

Dr. DANIELS. Well, I mean sabotage not for the benefit of any foreign power but just out of pure meanness.

Mr. JONES. Your relations with him were perhaps a little bit strained at that time?

Dr. DANIELS. Yes, they were very much strained.

Mr. JONES. Now will you continue, Doctor?

Dr. DANIELS. And when I came back to the laboratory and reported to Dr. Anderson, the branch chief, on things that had happened out there, he suggested that I give him an "unsatisfactory" efficiency rating. I gave him the rating of "unsatisfactory," and also recommended that he be demoted from professional to a subprofessional rating, because he had no college training whatsoever. He had a high school diploma, and that was all that I could find in his record.

So I gave him the unsatisfactory rating. He appealed it to the local appeals board, at Fort Monmouth, and we had a hearing before that board. Dr. Anderson testified. Dr. Crenshaw, who had had some previous bad experience with him, testified.

Mr. JONES. Will you spell his name, please?

Dr. DANIELS. C-r-e-n-s-h-a-w.

Mr. JONES. Dr. Craig Crenshaw?

Dr. DANIELS. Dr. Craig Crenshaw.

Mr. JONES. He is still employed at Fort Monmouth?

Dr. DANIELS. He is still at Fort Monmouth.

Mr. JONES. He was one of those who reviewed Harry Brandt's appeal?

Dr. DANIELS. He testified at the hearing in my favor.

Mr. JONES. In your favor?

Dr. DANIELS. Yes. And during the hearing, Mr. Brandt came up with some accusations against me.

Mr. JONES. Personal?

Dr. DANIELS. Yes. Well, he said that I had given my wife access to classified information and shown her classified equipment.

Mr. JONES. Did he attempt to substantiate that accusation?

Dr. DANIELS. No. It was pointed out by others at the hearing that it wasn't true. He also tried to make some—don't know why he had to drag it in. He had to make some comment about my wife, which was completely irrelevant, that she asked him to get her a card

permitting her to buy ice cream, and so on, at the Post Exchange, just because she didn't want to tell what her age was. And that was completely irrelevant—just to show the type of thing he would bring up.

Mr. JONES. What was the result of the appeals board decision?

Dr. DANIELS. The appeals board agreed with me and decided that he was completely unsatisfactory.

Mr. JONES. Then continue about Harry Brandt. As a result of the decision rendered by the appeals board, he was then summarily dismissed?

Dr. DANIELS. No, a man can't be dismissed for inefficiency. He can just be downgraded.

Mr. JONES. He cannot be dismissed for inefficiency. He is downgraded. So he was downgraded?

Dr. DANIELS. No, he wasn't. He appealed it again. He appealed it to the board in Washington.

Mr. JONES. Oh, yes.

Dr. DANIELS. And I don't know how accurate this is. I hear the story that the American Legion financed his appeal and supplied a lawyer for him in Washington.

Mr. JONES. Do you know the name of that lawyer?

Dr. DANIELS. I heard it at the time, but I don't remember. He was a brigadier general, I believe, or had been.

Mr. JONES. And what was the result of this appeal?

Dr. DANIELS. The result of that was that it was reversed and I was ordered to give him a good efficiency rating.

Mr. JONES. Now, what is Mr. Brandt doing today?

Dr. DANIELS. I believe he is working for the Field Test Equipment Section, or something similar.

Mr. JONES. Do you see him frequently, or occasionally?

Dr. DANIELS. I have never seen him since that incident. He is located at Fort Monmouth, and I am located at Evans, which are some miles apart.

Mr. JONES. Have you ever had any reason to believe that in any way whatsoever, Mr. Brandt contributed in any way to subversive activities while he was employed out there?

Dr. DANIELS. No. I don't think he had any connection with any subversive activities. I think what he did was just out of pure stupidity. And I consider him mentally incompetent.

Mr. JONES. Was he a member of the Communist party?

Dr. DANIELS. No.

Mr. JONES. Do you know of anyone out there who is a member of the Communist party or was a member of the party?

Dr. DANIELS. No.

Mr. JONES. You have no knowledge of any person being a member of the party or any affiliated front organization?

Dr. DANIELS. No, I don't.

Mr. JONES. Now, other than Mr. Brandt, have you anything to which to attribute the lifting of your security clearance?

Dr. DANIELS. Well, there might be other reasons. For one thing, I am one of the few people around there who seem to have guts enough when a person is unsatisfactory to try to get rid of him, transfer him out of the section or do something. Most supervisors are getting so intimidated they are afraid to do that. And there are

other people that we have gotten rid of recently that might make accusations against me.

Mr. JONES. Well, for example?

Dr. DANIELS. I am not sure exactly who they would be. Well, one possibility is a man by the name of Lartaud, L-a-r-t-a-u-d.

Mr. JONES. What does he do?

Dr. DANIELS. He was in the section already when I became section chief, and he probably expected to be the assistant section chief. But when I took over the section, I took it over only under the condition that Mr. Gross would be my executive assistant.

I told Dr. Anderson when he offered me the job that I would take the job as chief if he would put Gross in as assistant. And Lartaud probably felt himself pretty much put out by that, and there is the possibility that he might have made an accusation.

Mr. JONES. There developed thereafter, then, a sort of rivalry and jealousy?

Dr. DANIELS. Yes.

Mr. JONES. Now, you have considerable confidence, I take it, in Mr. Gross?

Dr. DANIELS. Yes, I do.

Mr. JONES. Now, other than those two reasons, one, the rating that you had given Harry Brandt, and, two, the personality conflict, more or less, in your section, you have no other reason, to the best of your knowledge, to attribute the lifting of your security clearance at this time to?

Dr. DANIELS. No, I don't.

Mr. JONES. You have no other reason?

Dr. DANIELS. No. And I have another reason to feel that that is it. Any time any of my friends have reported to me that the FBI has investigated me, the one question that always popped up there was, "What do you think of Harry Brandt's reliability?" It was always asked in connection with any questions about me.

Mr. JONES. Now, we were told here by three or four witnesses that within the last two or three days, there was held a meeting at a lawyer's office.

Dr. DANIELS. Yes.

Mr. JONES. What is the name of that lawyer?

Dr. DANIELS. Katchen.

Mr. JONES. What is his first name?

Dr. DANIELS. Ira.

Mr. JONES. Now, how did this meeting come to be? Who arranged for the meeting, and who invited these persons to attend that meeting?

Dr. DANIELS. I wasn't at the meeting. I don't know who arranged it. He may have arranged it himself.

Mr. JONES. You say that Mr. Katchen may have arranged that meeting himself?

Dr. DANIELS. Yes.

Mr. JONES. Why?

Dr. DANIELS. I understand that the Anti-Defamation League wanted to look into the matter of whether there was anything in the line of anti-Semitic activities behind this.

Mr. RAINVILLE. But you your self are not Jewish?

Dr. DANIELS. I am not Jewish. My wife is.

Mr. RAINVILLE. Mr. Brandt is not Jewish?

Dr. DANIELS. Mr. Brandt is Jewish.

Mr. RAINVILLE. He is Jewish?

Dr. DANIELS. Yes.

Mr. RAINVILLE. Mr. Lartaud? Is he Jewish?

Dr. DANIELS. No, he is not Jewish. There does seem to be a very high correlation, of course, between the individuals who have been suspended or had their clearance lifted——

Mr. RAINVILLE. But in your own case, 50 percent of them are Jewish?

Dr. DANIELS. It is reversed.

Mr. RAINVILLE. Not entirely. Of the two men you preferred charges against or in some way demoted because of bringing Mr. Gross in, one is Jewish and one is not.

Dr. DANIELS. Yes.

Mr. RAINVILLE. So you are 50 percent anti-Semitic yourself?

Dr. DANIELS. You mean in terms of what I have done to them?

Mr. RAINVILLE. Yes.

Dr. DANIELS. Okay, if you want to put it that way. But it was not on a basis of religion, I can assure you.

Mr. RAINVILLE. But you are jumping to the conclusion that there is some anti-Semitism here?

Dr. DANIELS. No, that is not my conclusion. In fact, I doubt it, myself.

Mr. RAINVILLE. Well, that is odd. Because some of the gentlemen who were discussing it here didn't exactly quote you but inferred that you had brought the matter up. And just a moment ago you said, "Now, I am not Jewish, but my wife is"—as if that might be part of the explanation.

Dr. DANIELS. I did feel originally that that might be what was behind it. And actually I am still, to tell the truth, somewhat undecided.

Mr. RAINVILLE. But a moment ago, you said there was no other reason.

Dr. DANIELS. Okay, but these accusations all started within a certain group at Fort Monmouth. And it may be that the individuals involved there are anti-Semitic. Of course, there may be other reasons for their activities, too, for their accusations. I feel in many cases they are just taking reprisals against somebody who has made some adverse comments about their methods of investigation.

I know that shortly before my security clearance was lifted, some time ago, quite obviously in connection with this Brandt case, I had gone to the military head of the security there and complained about the way the civilian security people, Reid and his group there, were using the services of stool pigeons like this Brandt, and so on. And shortly after that, my security clearance was lifted for the first time. I feel that was a reprisal.

Mr. RAINVILLE. How does that tie in with anti-Semitism?

Dr. DANIELS. Well, it ties in with what I said. In some cases, it might be an anti-Semitic bias. In other cases, it may be a reprisal for some action you have taken that is unfavorable to them.

Mr. RAINVILLE. Yes, but you are anti-Semitic, too. You tried to get a man demoted, and a board finally said you were wrong about his efficiency. Wouldn't that be persecution, or something?

Dr. DANIELS. Some people might look at it that way.

Mr. RAINVILLE. But you are one of the people that are doing the looking, and you say it looks as if the other guys are doing it, but you yourself, because you do the same thing, are not subject to that criticism.

Dr. DANIELS. I tried to point out before—I am not being absolutely dogmatic about it—that I am not firmly convinced myself that it is anti-Semitism. I am not firmly convinced that it is not. Let's look at it this way.

Mr. JONES. Then, Dr. Daniels, I wonder if we might get back, here, to Mr. Katchen for just a moment. Time is rushing on us, here, and we would like to make every effort to tie all these ends together. We would appreciate every possible assistance you could give us in coming to the objectives of this committee just as hurriedly as possible.

First, you have just said that Mr. Katchen arranged this meeting of those who were suspended and those whose security clearance was lifted.

Dr. DANIELS. As far as I know.

Mr. JONES. As far as you know?

Dr. DANIELS. I was not there.

Mr. JONES. That is right. Now, who attended that meeting, Dr. Daniels?

Dr. DANIELS. I don't even know, for sure.

Mr. JONES. You don't know any of the persons who attended the meeting?

Dr. DANIELS. I couldn't say for sure.

Mr. JONES. When was the meeting held, Doctor?

Dr. DANIELS. It must have been within the past couple of days.

Mr. JONES. Where was it held?

Dr. DANIELS. In his office.

Mr. JONES. In the afternoon, or in the evening?

Dr. DANIELS. I don't remember.

Mr. JONES. You don't remember whether you met in the afternoon or in the evening?

Dr. DANIELS. I didn't go. I wasn't there.

Mr. JONES. Who invited these people to attend the meeting?

Dr. DANIELS. I am just assuming that it was Mr. Katchen, but I don't know for certain, because I wasn't there.

Mr. JONES. And what interest has he in particular in this situation?

Dr. DANIELS. I think his interest comes through his connection with the Anti-Defamation League.

Mr. JONES. Is he retained by the Anti-Defamation League?

Dr. DANIELS. I couldn't say that definitely.

Mr. JONES. Who brought this case to his attention? The Anti-Defamation League?

Dr. DANIELS. It is possible.

Mr. JONES. Did you arrange to have Mr. Katchen handle this matter?

Dr. DANIELS. No. I have nothing to do with the Anti-Defamation League or B'nai B'rith.

Mr. JONES. I understand that, Doctor. But you did not arrange with Mr. Katchen to arrange this meeting?

Dr. DANIELS. No.

Mr. JONES. How well do you know Mr. Katchen?

Dr. DANIELS. Well, not too well. My main association with him was when I went to him a few weeks ago to have him draw up a will for me. That is when I actually met him for the first time.

Wait a minute. Excuse me. I am wrong. I had a case against my landlord once, where I sued him for over-collection of rent. He was my lawyer in that.

Mr. JONES. And the second time was to draw up a will?

Dr. DANIELS. The second time was to draw up a will.

Mr. JONES. And who referred you to Mr. Katchen?

Dr. DANIELS. In the first case, I am not certain but I believe it was Harold Stein. I know he had had Mr. Katchen in a similar case once.

Mr. JONES. And who is Mr. Stein?

Dr. DANIELS. Another employee at the laboratory. He works through a computing group there.

Mr. JONES. And Mr. Stein suggested that you go and see Mr. Katchen in this suit you had against your landlord?

Dr. DANIELS. Yes.

Mr. JONES. Following that, you went back to Mr. Katchen to have him draw up the will?

Dr. DANIELS. Yes.

Mr. JONES. And then your third meeting with Mr. Katchen was at the time that you discussed with him this matter at Monmouth; is that correct?

Dr. DANIELS. Listen, I didn't attend that meeting, I tell you.

Mr. JONES. No, but you talked with him over the telephone.

Dr. DANIELS. I talked with him at the time I went up to take back the copy of the will and point out some corrections I wanted in it.

Mr. JONES. And that time you discussed with him the possible anti-Semitic problem which existed out there?

Dr. DANIELS. Yes, I did discuss it with him at that time.

Mr. JONES. And that is how Mr. Katchen's interests had been aroused in this situation?

Dr. DANIELS. No, his interests had already been aroused because he started asking me questions about it.

Mr. JONES. I see. Now, how well do you know Dr. Craig Crenshaw?

Dr. DANIELS. By the way, I would like to volunteer some information, further information, in connection with Mr. Katchen, if I may.

Mr. JONES. Yes, I would like to have that.

Dr. DANIELS. He called me last night. It seemed that some of the people who had been here yesterday went to his office, and he called me last night to tell me what had happened and gave his opinion on the thing, if that is of any interest to you.

Mr. RAINVILLE. His opinion is of much interest.

Dr. DANIELS. His opinion was that—well, he said, "This seems to be a very sincere attempt on the part of the committee to find out just how security matters are handled at the fort there. That is all that I can see."

Mr. JONES. I may say to you, Doctor, that we were amazed to learn from several witnesses of this anti-Semitic problem or alleged

problem. It was shocking to hear these allegations made here, and we want to exercise every effort to clarify this just as much as possible. Primarily, we are interested in the security and the loyalty program out there at Monmouth, as you can well appreciate.

However, I think in order to perhaps arrive at an understandable picture of that situation, it is necessary to bring in all these related aspects or unrelated aspects and to sift it all through and see just what we have.

Now, how well do you know Dr. Craig Crenshaw?

Dr. DANIELS. I know him very well, through my connection with him at the laboratory.

Mr. JONES. How long have you known him?

Dr. DANIELS. It must have been about twelve years.

Mr. JONES. You have known him for twelve years?

Dr. DANIELS. Yes.

Mr. JONES. On an intimate basis?

Dr. DANIELS. We don't meet socially at all but we have been very closely associated at the laboratory.

Mr. JONES. Professionally, you are quite close?

Dr. DANIELS. Yes.

Mr. JONES. What other relations have you had with Dr. Crenshaw out there, in the professional sense?

Dr. DANIELS. I can't give it to you exactly. I think at one time I was his supervisor. And then we had parallel positions on an equal level for a while. He was called the assistant chief for administration, and I was the assistant chief for research in the section.

Mr. JONES. Now, Dr. Crenshaw spoke in your favor during Harry Brandt's appeal. Is that correct?

Dr. DANIELS. Yes.

Mr. JONES. Since that time has Dr. Crenshaw ever volunteered any other assistance in your behalf in one way or another?

Dr. DANIELS. Not that I can think of.

Mr. JONES. In no matters relating to loyalty or security or anything else?

Dr. DANIELS. Oh, he probably has been questioned by the FBI regarding me. He never discussed it with me that I remember.

Is Dr. Crenshaw currently being investigated by the FBI?

Mr. JONES. For what reason?

Dr. DANIELS. Apparently in connection with this Brandt case. Because he first asked about Dr. Crenshaw, as to his loyalty, what I thought of it, and so on, and then whether there was any person who had reason to be antagonistic towards him. First I couldn't think of anything at all, and then my mind went back to this Brandt case, and then the man from the FBI nodded when I said, "Harry Brandt," and I made a few allusions to certain things that had happened, and the man from the FBI obviously understood what it was. It was regarding highly classified information. And I could see right off that he understood what I meant, though, and vice versa. And it was Brandt that was accusing Crenshaw.

Mr. SCHINE. Dr. Daniels, in your electromagnetic propagation work, you have had some contact with MIT, have you not?

Dr. DANIELS. MIT? Yes, sir.

Mr. SCHINE. Do you know a Mr. Yamins?

Dr. DANIELS. Yes, sir.

Mr. SCHINE. What is your contact with Mr. Yamins?

Dr. DANIELS. Well, the only contact I have ever had with him has been either through written memoranda asking him for information, or occasional trips up there. I might go in and ask, "Have you this information I wanted on the TR box?" or something like that, and walk out again.

Mr. SCHINE. What is Mr. Yamins' job at MIT?

Dr. DANIELS. How long has he been there?

Mr. SCHINE. What is his job there?

Dr. DANIELS. He is liaison officer, I believe. I am not sure. He is a liaison man, anyway, to maintain liaison between the Signal Corps here and work going on at MIT, to keep us informed of anything that they are doing that might be of interest to us and to arrange for the loan of government property, interchange of property, and so on.

Mr. SCHINE. His work is not solely confined to propagation, is it?

Dr. DANIELS. Oh, no.

Mr. SCHINE. He is liaison for the entire relationship between MIT and Fort Monmouth?

Dr. DANIELS. Yes.

Mr. SCHINE. As well as the rest of the Signal Corps?

Dr. DANIELS. Yes.

Mr. SCHINE. He has complete access to classified material?

Dr. DANIELS. Mr. Yamins, you mean?

Mr. SCHINE. Yes.

Dr. DANIELS. Yes, so far as I know. Certainly. Because he wore a secret badge. He wore the red badge that indicates clearance for secret.

Mr. SCHINE. He comes to Fort Monmouth occasionally?

Dr. DANIELS. Yes, I saw him there a couple of days ago apparently when he came back to receive his suspension, and so on. I was sitting in Colonel Moses' office waiting to be called up here, and I saw him with his secret badge on, indicating that he had been cleared, for secret.

Mr. SCHINE. He discussed the charge with you?

Dr. DANIELS. No. He just nodded to some stenographer and walked out again. We just nodded.

Mr. SCHINE. Would you tell us briefly what the charges were, against Mr. Yamins?

Dr. DANIELS. I have no idea.

Mr. SCHINE. Had you heard what the charges were?

Dr. DANIELS. I hadn't heard what they are in his case.

Mr. SCHINE. With whom does Mr. Yamins deal when he comes to Fort Monmouth?

Dr. DANIELS. He would deal directly with the people at headquarters who are located at Fort Monmouth proper.

Mr. SCHINE. Yes. Would you give us their names?

Dr. DANIELS. That is not at Evans where I am located.

Mr. SCHINE. Would you give us their names?

Dr. DANIELS. Well, Squire Laboratories, the place where he reports in.

Mr. SCHINE. With whom does he deal in Squire Laboratories?

Dr. DANIELS. I would suspect that he reports directly to Dr. Zahl, the director of engineering.

Mr. SCHINE. How do you spell that?

Dr. DANIELS. Z-a-h-l.

Mr. SCHINE. And whenever he wants to confer with anyone involved with a specific project, he goes to Dr. Zahl and lines up the meeting, and then he is free to come and go, or he was free to come and go prior to the lifting of the security?

Dr. DANIELS. Yes.

Mr. SCHINE. Is it Dr. Yamins?

Dr. DANIELS. No. He doesn't have a doctor's degree.

Mr. SCHINE. Is he a scientist?

Dr. DANIELS. Yes, he is a physicist.

Mr. SCHINE. Do you know anything about his background?

Dr. DANIELS. I don't know anything about it at all.

Mr. JONES. Do you know Dexter Masters?

Dr. DANIELS. Masters? The name doesn't sound familiar at all.

Mr. JONES. Did you know Julius Rosenberg while you were out there?

Dr. DANIELS. No.

Mr. SCHINE. Would you tell us what you did prior to going to college in 1932?

Dr. DANIELS. I worked for a number of years as a photographer. I started in college in 1918. I had one year of college, and then I dropped out for about a year or so.

Mr. SCHINE. Where were you a photographer?

Dr. DANIELS. That was at the University of Michigan.

Mr. SCHINE. You worked as a photographer at the University of Michigan? Where were you a photographer?

Dr. DANIELS. No, that was much later, I worked as a photographer from about 1926 to 1930.

Mr. SCHINE. What did you do prior?

Dr. DANIELS. Prior to 1926?

Mr. SCHINE. Yes.

Dr. DANIELS. As I started to say, I was at the University of Michigan for one year. That took me up to 1919. And then I spent a year at home. Part of that year I worked in Kalamazoo with the tire factory there.

Mr. SCHINE. And you held odd jobs between that time and the time you went to—

Dr. DANIELS. Well, I went in 1920 to Germany. That was during the inflation period. And because of the inflation, the small amount of money that my mother was able to send me that would enable me to go to school over there.

Mr. SCHINE. That was when you became interested in photography?

Dr. DANIELS. I had been interested in photography ever since I was a very young child.

Mr. SCHINE. Your interest has continued?

Dr. DANIELS. Yes. I was a member of a camera club over in Germany.

Mr. SCHINE. What kind of cameras do you have?

Mr. DANIELS. I have just a little 35-millimeter camera.

Mr. SCHINE. Do you ever use the Lane Polaroid camera?

Dr. DANIELS. I have never used that type yet.

Mr. SCHINE. Ever use the Minox camera?

Dr. DANIELS. No.

Mr. SCHINE. You know what the Minox is?

Dr. DANIELS. Yes, one of those small cameras that takes 6-millimeter film or something like that.

Mr. SCHINE. You probably saw that camera being developed when you were in Germany. It was developed in the twenties.

Dr. DANIELS. Well, I didn't get any access to what was being developed there.

Mr. SCHINE. Have you ever seen a Minox camera?

Dr. DANIELS. I believe I have seen the Minox. I think one of the men at the lab had one at one time.

Mr. SCHINE. What was his name?

Dr. DANIELS. Kaiser.

Mr. SCHINE. What was his first name?

Dr. DANIELS. K-a-i-s-e-r. His first name is Morris.

Mr. SCHINE. What is Mr. Kaiser doing now?

Dr. DANIELS. He is chief of the Counter-Measures Branch.

Mr. SCHINE. And in that capacity, what are his duties?

Dr. DANIELS. He is the chief, head of the whole branch.

Mr. SCHINE. And what does that work entail?

Dr. DANIELS. Well, various methods, countermeasures, such as detection of enemy radio transmissions, and so on. I don't know too much about it. It is highly classified.

Mr. SCHINE. Did it ever occur to you that it was rather strange that Mr. Kaiser would have the Minox camera in his office? Isn't there a regulation prohibiting cameras?

Dr. DANIELS. There is a regulation preventing it, yes. You can't take in cameras or binoculars.

Mr. SCHINE. Did it ever occur to you that it was odd for him to have the camera?

Dr. DANIELS. I don't remember whether he showed it to me in his office or not.

Mr. SCHINE. You saw it in the office, though, didn't you?

Dr. DANIELS. I believe I did.

Mr. SCHINE. Did it occur to you that it was peculiar for Dr. Kaiser to have a camera in his office, particularly a Minox camera?

Dr. DANIELS. Well, I thought at the time it was a little improper to bring it in.

Mr. SCHINE. Did you ask him about it?

Dr. DANIELS. Well, I didn't say anything about it.

Mr. SCHINE. Did he say anything about it?

Dr. DANIELS. He was in a higher level than I was.

Mr. SCHINE. Yes. Did he display the camera freely, or did he just happen to pull it out and show it to you because of your interest in photography?

Dr. DANIELS. He was interested. I think it was one of the first ones that had ever been imported.

Mr. SCHINE. I see. This was what year? 1950, wasn't it?

Dr. DANIELS. I couldn't give you even a guess.

Mr. SCHINE. Wasn't it around 1950?

Dr. DANIELS. That year or before.

Mr. SCHINE. 1949?

Dr. DANIELS. I say either that or earlier.

Mr. SCHINE. It wasn't before 1949, was it?

Dr. DANIELS. I couldn't say definitely. I can't even recall the exact office.

Mr. SCHINE. It was a little silver-colored camera?

Dr. DANIELS. It was a very, very small camera.

Mr. SCHINE. That pulled out.

Dr. DANIELS. I think that was the name of it. I am not 100 percent sure. It was the smallest camera I had seen.

Mr. SCHINE. Did he tell you the Gestapo developed this camera during the war?

Dr. DANIELS. Yes, it was a camera that had been developed in Germany during the war.

Mr. SCHINE. You had seen that camera in Germany probably?

Dr. DANIELS. I hadn't seen it in Germany.

Mr. SCHINE. Wasn't it through your interest in photography that this subject first came up?

Dr. DANIELS. Yes, it was through that.

Mr. SCHINE. He didn't display the camera freely, though, did he?

Dr. DANIELS. He knew that I was interested in photography, and he showed it to me for that reason. I don't know to what other people he showed it at the time.

Mr. SCHINE. He didn't display the camera freely, though did he?

Dr. DANIELS. I don't know. He might have. I wasn't in his office regularly, so I wouldn't know to whom he showed it.

Mr. SCHINE. But due to the fact that he was in a superior position to you, you didn't feel that you should discuss with him the security angle?

Dr. DANIELS. No.

Mr. SCHINE. Did you feel you should report it to anyone?

Dr. DANIELS. Well, under the circumstances, I didn't feel that it was necessary. Considering he was a branch chief, or whatever his position was at the time, I would feel that he was certainly a reliable individual.

Mr. SCHINE. Was Mr. Kaiser a close friend of yours?

Dr. DANIELS. Well, not too close.

Mr. SCHINE. He wouldn't show you the camera, though, if you were a complete stranger.

Dr. DANIELS. You see, he was my superior, mainly, and he knew of my interest in photography.

Mr. SCHINE. You were more than just a laboratory acquaintance of his. You knew him socially, didn't you?

Dr. DANIELS. I am sorry. I didn't get that question.

Mr. SCHINE. You knew him socially, didn't you?

Dr. DANIELS. Yes.

Mr. SCHINE. You had seen him from time to time socially?

Dr. DANIELS. Well, not too often. Maybe five or six times in my entire period at the laboratory.

Mr. SCHINE. But he didn't hesitate to confide in you the fact that he had this camera, although he probably asked you to not tell anybody that he had the camera with him in his office?

Dr. DANIELS. I don't know that he made such a request in the office.

Mr. SCHINE. But he didn't feel it was necessary to make it?

Dr. DANIELS. Maybe that was it.

Mr. SCHINE. It is pretty well known around Fort Monmouth that you are not supposed to take binoculars and cameras and other such equipment on the base?

Dr. DANIELS. Yes, it is pretty generally known you shouldn't take cameras in.

Mr. SCHINE. Had you ever seen him take pictures there?

Dr. DANIELS. No.

Mr. SCHINE. He didn't demonstrate it to you?

Dr. DANIELS. No.

Mr. SCHINE. Didn't he pull out some pictures and show them to you?

Dr. DANIELS. I don't know whether he had any pictures at the time.

Mr. SCHINE. That were done with the Minox camera? Didn't he show you the size of the negatives?

Dr. DANIELS. He might have, but I wouldn't remember.

Mr. SCHINE. You don't recall? Try and think back to the incident.

Dr. DANIELS. No, I can't remember.

Mr. SCHINE. Didn't he pull out some negatives and show you the size of them?

Dr. DANIELS. I really don't remember. It would have been the obvious thing to do, of course, but I don't remember whether he did or not.

Mr. RAINVILLE. Is it your feeling that because of the hearings of this committee you and some of these other people were perhaps removed from security clearance?

Dr. DANIELS. That is what I have been trying to figure out for myself ever since it started.

Mr. RAINVILLE. Do you think that it has perhaps been more sweeping than necessary, in an effort to perhaps protect the security officers themselves from being charged with negligence?

Dr. DANIELS. That is one theory that I have had regarding the reason that these all happened to come exactly at this time.

Mr. JONES. That is all. Thank you very much, Dr. Daniels.

Mr. SCHINE. Would you be seated, please, and state your name for the record?

STATEMENT OF BERNARD LIPEL

Mr. LIPEL. Bernard Lipel.

Mr. SCHINE. That is L-i-p-e-l-l?

Mr. LIPEL. No, one final "l."

Mr. SCHINE. And your current occupation, Mr. Lipel?

Mr. LIPEL. I am a physicist at Evans Signal Laboratory Fort Monmouth.

Mr. SCHINE. Would you tell us where you got your training for this work?

Mr. LIPEL. Yes. Rensselaer Polytechnic Institute.

Mr. SCHINE. Could you speak a little louder?

Mr. LIPEL. Rensselaer Polytechnic Institute, between 1934 and 1938.

Mr. JONES. Is that at Troy, New York?

Mr. LIPEL. Troy, New York, yes.

Mr. SCHINE. And when you left there, in 1938, where did you go?

Mr. LIPEL. I was for a time unemployed, and the first regular employment I had was working for—I think it was Optical Research, Incorporated, something like that. Anyhow it was a company run by a Mr. Feinbloom, who was manufacturing contact lenses.

Mr. SCHINE. What year was this?

Mr. LIPEL. This was, as well as I can recall, probably in 1939. My employment there was very short. I took that employment as a temporary job.

Mr. SCHINE. Would you sketch your history?

Mr. LIPEL. Certainly. I was then employed as a machinist for the Simmon, S-i-m-m-o-n, Brothers, in Long Island City for a couple of months. I then found my first technical job, which was for Eagle Electric Company, Eagle Electric Manufacturing Company, who were then in Brooklyn, New York. They are now in Long Island City. I remained there until I accepted employment at the Signal Corps Laboratory.

Mr. SCHINE. Which was when?

Mr. LIPEL. On September 3rd, 1940.

Mr. SCHINE. And how did you happen to take employment at Fort Monmouth?

Mr. LIPEL. During the period of my unemployment, I believe, I took an examination, a formal examination. During the summer of 1940, I received an inquiry. And I was interviewed and offered a position during the summer of 1940. I took the job effective the 3rd of September.

Mr. SCHINE. Will you give us the names of the individuals you stated as references when you filled out your application form?

Mr. LIPEL. That was thirteen years ago, and I can't be sure about that.

Mr. SCHINE. So in 1940, you took a position with Fort Monmouth.

Would you tell us the position and the duties, please?

Mr. LIPEL. It was a position as a junior physicist, P-1. I was assigned to the Sound Ranging Section.

Mr. SCHINE. Sound ranging?

Mr. LIPEL. The Sound Ranging Section.

Mr. SCHINE. And would you sketch briefly the evolution of your employment at Fort Monmouth, the various jobs you held?

Mr. LIPEL. Well, the section and branch that I was then assigned to—the laboratories underwent various changes in names, but I remained essentially with the same group until, I think, at the end of the year 1947, I left what was then the General Engineering Branch at Evans Signal laboratory, the descendant of this original job, and went to work at Cole Signal Laboratory in the Wire Communications Branch.

Mr. SCHINE. And what were your duties there?

Mr. LIPEL. They were concerned with data transmission problems.

Mr. SCHINE. I see. And you continued on at Coles since that time?

Mr. LIPEL. No, I continued at Coles until on the 9th of August this year. I was transferred again, back to the Applied Physics

Branch, which is actually the original group that I once worked with, but this time with new duties, in a different section.

Mr. SCHINE. Yes. What are your duties?

Mr. LIPEL. I am concerned now with the development of digital computing machinery.

Mr. SCHINE. Which is what?

Mr. LIPEL. Well, digital computing machines are machines which are mathematical machines.

Mr. JONES. Is that the electric brain?

Mr. LIPEL. There has been a lot of publicity of that kind. Actually, in many cases, they are simply the same thing as a desk calculator, but required to do more of the job automatically.

Mr. SCHINE. In your work at Evans prior to the time you went to Coles Laboratories, you say you worked on transmission?

Mr. LIPEL. No, at Evans Laboratory, with a few temporary exceptions, for the seven and a half years I originally I was at Evans Laboratory the vast majority of that time I was working on sound ranging equipment. I also, for the record, worked on some underwater equipment and on some heat detecting equipment.

Mr. SCHINE. Was all of this work classified?

Mr. LIPEL. Most of the time I had duties on classified projects.

Mr. SCHINE. Now, you have been cleared for classified work?

Mr. LIPEL. Yes, sir.

Mr. SCHINE. And still are?

Mr. LIPEL. I am cleared up to secret.

Mr. SCHINE. Have you ever had any problems with regard to clearance?

Mr. LIPEL. No, I have never had any problems with regard to clearance.

Mr. SCHINE. Have you ever been reprimanded for any breach of security?

Mr. LIPEL. Oh, yes; I have been reprimanded.

Mr. CARR. For security negligence?

Mr. LIPEL. Security negligence, yes. As a matter of fact, I have never been satisfied with the case, and I believe that the records in my file indicate that I have a grievance in the matter.

But briefly—I won't mention the relative importance of this material, which would be a point.

Mr. SCHINE. Was it very important classified material?

Mr. LIPEL. No, it was unimportant classified material. But that has nothing to do with the regulations, since unimportant material should be safeguarded in the same way as important material.

Mr. SCHINE. When did this situation take place?

Mr. LIPEL. In 1945. And, briefly, what happened there is that I had a violation and received a written reprimand, which is in my file.

Some period later, I believe less than a year, I don't remember how long, there was a second violation.

Mr. SCHINE. What was the first violation?

Mr. LIPEL. A specification marked secret was found by the guard who inspected our building. It had been left out by the group. A note was left that this specification is to be found in the adjutant's office.

I, as the senior member of that group, and as the one with the longest employment and, therefore, the longest clear record, went and got it.

The penalty at that time, the known penalty, for such a thing, was a reprimand, and I felt that the reprimand would not hurt me as it would anyone else in the group.

I didn't want to go into this, but the truth of the matter was that I was in the habit of inspecting that building before locking up every day. It was wintertime. We were in a very remote building.

I was in the main building that whole afternoon, actually working with the specifications people. Because of the bad weather I said, "Oh, well, I won't go back today." And I omitted my regular inspection.

However, I felt it my moral duty to be responsible, and therefore, I went and took the specification. I received that reprimand.

Mr. SCHINE. What was the penalty?

Mr. LIPEL. There was a written reprimand, which was placed in my 201 file.

Mr. SCHINE. This was in 1944?

Mr. LIPEL. Either '44 or '45.

Mr. CARR. In February?

Mr. LIPEL. Yes.

Mr. SCHINE. When was the second one?

Mr. LIPEL. The second one must have been in April 1945.

Mr. SCHINE. Would you tell us about that, please?

Mr. LIPEL. Yes. I was in Washington, I don't remember the nature of this. There was some kind of a big show in Washington, and the show was ceased because of the death of President Roosevelt. Before the ceasing of the show, which originally was very highly classified, General Somervell took around a lot of newspaper reporters and showed them all this equipment in sort of a flamboyant attitude. The newspapers were supposed to publish articles that all this stuff had been quickly declassified as a gesture of defiance, because we had won the war. The articles were of that tone. The last day, when practically everybody went in there, we were all permitted to circulate, and I picked up a pamphlet which was marked secret, but which everybody was permitted to take, including the newspapermen. In any case, that was an unwise thing to do, of course, without having it erased.

But I brought it back, and it was among my possessions. We moved from one room to another, and all these possessions were filed in a heap.

And, as I deserved to have happen, this secret pamphlet was on top, and it was found.

Therefore, I again was called to task for a violation of security. I never made any issue as to the importance of the matter.

Mr. SCHINE. What was the penalty then?

Mr. LIPEL. The penalty then? As stated, I was sent a letter, an exact copy of the original reprimand, stating: "You are being reprimanded for this."

I don't remember whether it said, "It is your first," or "it is your second offense."

And the nature of that reprimand was such that the case was closed.

However, that didn't finish the matter, because about a month later the project officer, Major Geoffrey, the head of the branch—Mr.——

Mr. SCHINE. J-e-f-f-r-e-y?

Mr. LIPEL. No, Geoffrey, G-e-o-f-f-r-e-y.

He told me that, "Apparently I have been told that you and I have to go and see"—I don't know the name of this officer—"in the front office."

And having gone down there, I was told, "Well, it is too bad, but you had a second offense last month, and the regulations are mandatory. You are obliged to be suspended for one day."

I said, "I didn't hear about that, but if it is mandatory I guess I will have to do it."

There certainly wasn't any time to bring up the question of the importance of this material or whether I needed to have had the original reprimand, the first reprimand.

So I agreed to take a date at my own convenience for suspension at that time. It so happened that I was very busy, I was preparing to make a trip to California, in connection with some classified project.

However, I was sent a new form. That is, I was notified in writing. And the new writing apparently was a substitution for my original letter of reprimand. It referred to some Civil Service regulations, which I am not usually familiar with, so I went to the personnel people and insisted on getting a copy of the regulations.

The regulation I found had been cited as the authority for punishing me with a day's suspension, and it merely said that suspension could be imposed for certain kinds of disciplinary offenses, provided it was made adequately clear to all the personnel that such would be the penalty.

In view of the fact that it had not been made clear, for example, that it had not been made clear in my first letter of reprimand that the next similar offense would be cause for suspension, and in view of the fact that I had known of no signs to that effect around the place, no memoranda on the matter passed around, and in fact, inasmuch as I had been sent the second reprimand, which supposedly closed the case, I thought that it was perhaps some injustice.

So, investigating further, I found that there was in existence a suspension and discharge committee, I think, in the charge of some officer. I went down and saw them and found that that committee was very much perturbed. They felt that they had been short circuited by the people who had spoken to me.

And they were anxious to have me make a case to fight this, so that they could reassert their authority.

However, I didn't feel that I wanted to get involved with anything of that kind.

I also had a long trip to California imminent. I took my day's suspension and instead wrote up this same material and requested that this be placed in my 201 file.

About a year later, or more, long after I had returned from California, I found that in my absence, as a result of my request to have this objection of mine recorded, a letter had been written to the branch project officer asking comments on my objection, and

the comment which I found in the file is a copy of the memorandum stating that this would henceforth be the penalty.

And that memorandum is dated later than the date of my offense.

So I feel, naturally, that, if anything, it just proves my case, which only has to do as to whether I needed to have been penalized with the day's suspension.

Of course, it has no bearing at all upon whether or not I committed offenses.

Mr. SCHINE. Did you know that you have been under investigation?

Mr. LIPEL. No, I have not at any time had any information of any kind that I am being investigated.

Mr. SCHINE. And can you think of any reason, other than the two offenses that you just stated to us, that would bring about an investigation of you?

Mr. LIPEL. I see no reason why those offenses would be cause for investigation, since everything involved there is open and above-board.

I don't think my loyalty is in any way questionable.

Mr. SCHINE. Can you tell us if any member of your family is connected with subversive organizations?

Mr. LIPEL. To the best of my knowledge, I know of no such instance.

Mr. SCHINE. Do you know if any of the individuals you gave as references are connected with subversive organizations?

Mr. LIPEL. Can you tell me the individuals whom I gave as reference? I don't recall.

Mr. SCHINE. Would you give us the names of any of them that you can remember?

Mr. LIPEL. I would be guessing, I would have to give the people whom I would give today. I don't recall.

In other words, I am sure I can give you a list of names which would overlap the list of names I gave then. But I just don't recall the complete list that I gave.

Mr. SCHINE. Would you give us the names you can give to us?

Mr. LIPEL. All right. I am sure I must have given the names of some of my college professors, probably Professor R. A. Patterson, P-a-t-t-e-r-s-o-n, and G. H. Carragan, C-a-r-r-a-g-a-n. They were then the head of the department.

And another senior professor, I may have given the following people, whom I am sure I have given since.

Mr. Bernard Meltzer, whose present address is in Philadelphia, Pennsylvania. I could probably find his address later.

Mr. Samuel Benjamin, who now resides in Washington, D.C.

Mr. Herbert Kaufman, who resides in Brooklyn, New York now.

Mr. SCHINE. Mr. Barnet Pomerantz?

Mr. LIPEL. Yes, Barnet Pomerantz, who was the chief engineer of the company I worked for at that time, and who was an obvious reference.

Mr. SCHINE. What about Dr. D. A. Wilbur?

Mr. LIPEL. He was another professor.

Mr. SCHINE. You haven't answered the question I asked to you previously as to whether to your knowledge any of these references you have given are connected with any subversive organizations.

Mr. LIPEL. No, I have no knowledge of any of those people being connected with subversive organizations, although now I have recalled the list of references, I must say that I know nothing at all about most of these people, except my personal friends. Except that I know that Dr. Patterson is now at Brook Haven National Laboratory in one of the senior positions.

Mr. SCHINE. When were you first approached by a member of the Communist party?

Mr. LIPEL. I don't think I ever have been. Approached for what purpose?

Mr. SCHINE. Let me rephrase the question. When did you first meet a member of the Communist party?

Mr. LIPEL. Oh, quite likely, when I was seven years old, I certainly encountered Communists in school. We had a case in my freshman year where there was a prominent, a very prominent case, that received a lot of publicity, where one of my instructors was ejected from the school.

That man is Granville Hicks, who nowadays is an anti-Communist.

Mr. SCHINE. And can you tell us what other names you can supply to us of your contacts with Communists?

Mr. LIPEL. I don't know of any. I may have known people at one time who I knew as Communists, but I don't remember their names. But nobody I knew well.

Also I may still know people that are Communists, but I don't know anything about their being Communists.

Let me say this, I know of no person in my acquaintance, certainly, who is a Communist. I don't know about any of these references.

Mr. SCHINE. I am not thinking of the references now.

Mr. LIPEL. I can recall no case.

Mr. SCHINE. Did you ever discuss the Communist party within the last few years?

Mr. LIPEL. Not within the last few years, no. I can remember when I went to high school we practically debated it in high school. It was a question of my age.

Incidentally, for the record, I want to say that by the time I had gotten out of college I was fond of objecting to the socialist kind of economy.

Mr. SCHINE. When you leave the laboratory where you work, how do you usually go home?

Mr. LIPEL. You are referring to my present laboratory, where I have been working only since about the first of August?

I usually drive to—

Mr. SCHINE. You go home by automobile?

Mr. LIPEL. Yes, I usually go home by automobile, driving by way of—I think it is called Greengrove Road, to Park Avenue.

Mr. SCHINE. Do you drive home alone?

Mr. LIPEL. Yes.

Mr. SCHINE. Nobody drives with you?

Mr. LIPEL. Nobody drives with me.

Mr. SCHINE. What about the last place you worked, the last laboratory?

Mr. LIPEL. Coles Signal Laboratory?

Mr. SCHINE. Did someone ride home with you?

Mr. LIPEL. No, nobody regularly rode home with me. In fact, 99 percent of the time, I rode alone. If anybody ever rode home with me, it was because he needed a ride temporarily, just as I might leave my car downtown to be repaired and would request somebody else for a ride.

Mr. SCHINE. Do you often take work home with you to work on?

Mr. LIPEL. Not often, but there have been periods where I have.

For example, from about last October until March, I took home with me work, and I came into Coles Laboratory to work, because I was working on a paper for publication.

And I couldn't, naturally, work on that entirely during laboratory hours.

Most frequently, I would come into the laboratory to work there because I had better working facilities.

Mr. SCHINE. When you take this work home with you, do you usually carry a briefcase?

Mr. LIPEL. No, no, I would usually carry it out with me.

Mr. SCHINE. How do you get your work from your office to the car? Do they inspect what you are taking out?

Mr. LIPEL. No, I see now that you are referring to this period at Coles Laboratory when I practically every day went into the laboratory, and perhaps twice a week would take some of the material home with me.

Mr. SCHINE. Yes.

Mr. LIPEL. One of the reasons I would take it home—at that time I was unmarried, and sometimes after having written things up I would want to use the period while waiting for dinner in the restaurant to glance over the material.

Briefly, I will state that.

In connection with this unclassified paper I was writing for publication, and which was cleared for publication, I let the guards know that I was cleared for removal of classified material, and therefore, there was no question about my taking these papers out, and I utilized that advantage to have easy access to taking out these folders.

I want to say that at all times I made a record in the book to indicate when I entered and left, and I didn't think that this matter was any cause for suspicion.

Mr. SCHINE. How did you carry these papers out? Did you have a briefcase?

Mr. LIPEL. No. I would usually use an envelope. The most likely thing for me to use would be a paper envelope. Also, at one time, I believe I had one of these looseleaf notebooks that has a zipper around the side, and therefore serves as an envelope.

Mr. SCHINE. And inasmuch as you were cleared for property removal of classified information, if you wanted to take something to refer to in connection with your writing on this unclassified paper, even if they had inspected the material you were taking with you, it wouldn't have made any difference?

Mr. LIPEL. In order not to drag this out, I wanted to say for the record that I have very properly removed classified information for business purposes, in the same way. We sometimes take classified information on a trip, and so on.

Mr. SCHINE. But the guards never did bother to inspect the papers?

Mr. LIPEL. No.

Mr. SCHINE. Once you received the removal slip, you were able to take the material out freely?

Mr. LIPEL. Yes.

Mr. SCHINE. How did you obtain this removal slip?

Mr. LIPEL. I requested it—no, I didn't. A number of individuals from our group, the senior individuals in the group, received these passes.

Mr. SCHINE. From whom?

Mr. LIPEL. I believe they were issued in the name of the laboratory director, and I received them from the administrative aide to the branch.

Mr. SCHINE. When did you receive them?

Mr. LIPEL. I don't recall exactly, but I have had more than one of those passes. When the first pass expired, in about a year, I automatically was issued a second pass.

Mr. SCHINE. This was roughly right through the '40s?

Mr. LIPEL. No, in general from the years about '51 to '53, about two years. I have utilized such a pass. Without such a pass, I would have had to get individual permission in each case to take out material, you see. And that is what I used to do previously.

Mr. SCHINE. Mr. Jones?

Mr. JONES. Mr. Lipel, do you know Dr. Craig Crenshaw?

Mr. LIPEL. I know of him, as a man who has worked at Evans Laboratory almost as long as I have. I have never worked with him, and I have had no social contacts with him.

Mr. JONES. Is he currently being investigated as to his security classification?

Mr. LIPEL. I have no way of knowing the answer to that question.

Mr. JONES. What form of relations have you had, if any, with Dr. Craig Crenshaw professionally?

Mr. LIPEL. I can recall no instance when I worked with him professionally; the only connection being that at one time during my first employment at Evans Laboratory and at Eatontown Laboratory prior to that, he worked in this same organization.

Mr. JONES. Do you know a Dexter Masters?

Mr. LIPEL. No.

Mr. JONES. Do you know Harold Ducore?

Mr. LIPEL. No.

Mr. JONES. Do you know an Alex Bichek?

Mr. LIPEL. No.

Mr. JONES. Do you know a Morris Klein?

Mr. LIPEL. No. I think I have heard the name, and I may at one time have been able to associate it with a face. I don't know the man.

Mr. JONES. You don't know the man. The name just rings a bell but you can't place it?

Mr. LIPEL. That is right.

Mr. JONES. Do you know an Aaron Coleman?

Mr. LIPEL. Yes, I know him. That is, I have met him professionally. And once this summer I, if you can so call it, met him socially. I was speaking to some people at the beach, and he was there, and I introduced him to my wife.

Mr. JONES. And your common bond at the time was your employment at Monmouth?

Mr. LIPEL. Yes. Actually, Coleman was rather embarrassed and he didn't join the group of us.

Mr. JONES. You know Bob Martin?

Mr. LIPEL. No.

Mr. JONES. Do you know Professor Yamins?

Mr. LIPEL. I know him by name. If I met him in the street, I know him well enough to say "Hello." I assume he knows my name as well as I know his.

Mr. JONES. You have had professional relationships with him out there?

Mr. LIPEL. No. I haven't.

Mr. JONES. How did you meet him in the first place?

Mr. LIPEL. To the best of my knowledge, I have never had professional dealings with him. I have never met him. It is just that he has been there so long and I have been there so long that, as I say, he may know my name as I certainly know his. He at one time had a high enough position at the laboratory to be known to everybody.

Mr. JONES. Do you know Jerome Corwin?

Mr. LIPEL. Yes, I do.

Mr. JONES. How well do you know Mr. Corwin?

Mr. LIPEL. Mr. Corwin was living in the same rooming house where I was living in the first four or five weeks of my employment at the laboratory. That was in 1940.

Mr. JONES. And will you give us the residence?

Mr. LIPEL. It was on Fifth Avenue, North Fifth Avenue, in Long Branch. I very shortly moved out of there, because I found better quarters. At that time I believe somebody at that rooming house had a car, and a few of us would go out to eat together in the evenings. I don't think it was every day.

I know Mr. Corwin's wife fairly well, much better than I know him, because she was employed for a long time in the Evans Laboratory in our branch.

Mr. JONES. What is her name, Mr. Lipel?

Mr. LIPEL. Mary Louise Donovan was her maiden name.

Mr. JONES. Donovan?

Mr. LIPEL. Yes. And we were always friendly in a business way. Oh, yes. And at one time I had two or three social contacts with the two of them together about the time of their marriage.

Mr. SCHINE. Mr. Lipel, have you known Julius Rosenberg?

Mr. LIPEL. To the best of my knowledge, no.

Mr. SCHINE. Did you know he was at Fort Monmouth?

Mr. LIPEL. No.

Mr. SCHINE. Never met him there?

Mr. LIPEL. No. In fact, if he was at Fort Monmouth, I didn't know where.

Mr. RAINVILLE. What do you think of the security regulations, in view of your own experience with them and in view of the fact that security clearances have been lifted from some of the men recently?

Mr. LIPEL. You are asking my opinion on this. This is a question of opinion.

Mr RAINVILLE. Opinion.

Mr. LIPEL. I believe that the security regulations that have existed during the time of my employment have been adequate, since I think that any attempt at more rigid regulations would be impractical, and in the last analysis you have to depend upon the carefulness and loyalty of the people involved anyhow. Nobody can stop me from carrying out material in my head. A good deal of the classified material that I have worked with has been material which I originated. And I could just as well have written it down in the first place outside the laboratory as in. For long periods of time I have been in effect the inventor of some of these classified equipments I work with. And any attempt at more careful checking by the guards, so to speak, would be just an unnecessary impediment, and not only that is likely to cause somebody who wants to be smart to see how he can circumvent it.

Mr. RAINVILLE. Thanks very much, Mr. Lipel. We appreciate your help.

[Whereupon, at 2:20 p.m., a recess was taken until 3:05 p.m.]

Mr. SCHINE. Will you give your name for the record, please?

STATEMENT OF JAMES EVERS

Mr. EVERS. James Evers, E-v-e-r-s.

Mr. SCHINE. And your current occupation?

Mr. EVERS. I am a radar engineer at Evans Signal Laboratory. I am the assistant branch chief.

Mr. SCHINE. And your duties as such, Mr. Evers?

Mr. EVERS. Well, I am the assistant branch chief of the Radar Branch.

Mr. JONES. What are your duties as assistant branch chief?

Mr. EVERS. Well, as assistant branch chief we have approximately two hundred people, engineers, scientific personnel, technicians, and the like, engaged in electronic work, mostly classified, for the Signal Corps.

Mr. SCHINE. And you are supervisor of a substantial group of people working in your department?

Mr. EVERS. That is right.

Mr. SCHINE. How many people are working in your department?

Mr. EVERS. As I say, I am assistant branch chief. The chief of the branch is the main supervisor. I am his assistant in line. There are two hundred people in the branch.

Mr. SCHINE. Have you had some problems with regard to security?

Mr. EVERS. Actually, the problems are not ours. We do not deal in security. That is another branch of the Signal Corps. We are advised that people are cleared or that they are not. That is the extent that we are advised on security.

Mr. SCHINE. You have had a number of individuals working in your department whose security is under question now?

Mr. EVERS. That is correct.

Mr. SCHINE. Could you give us those names, please?

Mr. EVERS. Mr. Coleman, Aaron Coleman, and Harold Ducore are both suspended. Mr. William Goldberg, I understand, has had his clearance taken away. He is not suspended. I guess that is the extent of it. No, Lovenstein is also suspended.

Mr. SCHINE. All of these individuals are in your department?

Mr. EVERS. Yes, that is right. They work for the Radar Branch.

Mr. SCHINE. And what is your feeling about all of this?

Mr. EVERS. Well, I am in the position of knowing nothing in so far as what the charges and the like are. That, as I say, is entirely a matter for the people who handle our security, and we are advised that this sort of thing is strictly none of our business.

Mr. CARR. How closely are you associated with these men under your supervision? Do you know any of the five who have been suspended personally?

Mr. EVERS. The one I know the best is Mr. Ducore. I have known him as a business associate, and he has worked with me most of the time, since 1941.

Mr. SCHINE. Are you a social acquaintance of his also?

Mr. EVERS. No, I have never socialized with him.

Mr. SCHINE. Outside of at the plant in connection with your job?

Mr. EVERS. Yes. I mean, there have been trips, I have gone with him to plants. There have been occasional branch picnics, or something like that. But that is a semi-business proposition.

Mr. JONES. Have you always found him to be a trusted and competent employee?

Mr. EVERS. That is right.

Mr. CARR. How about Mr. Coleman?

Mr. EVERS. He was in charge of the systems section when I had the Radar Equipment Section of the Radar Branch, and I know of nothing which could be considered subversive and anti-American that he has ever done.

Mr. CARR. Now, you yourself have had no connection with any organization which has been labeled as subversive?

Mr. EVERS. Not that I know about.

Mr. CARR. Were you associated with Mr. Yamins in any way?

Mr. EVERS. Well, I have known him for a long time, too, as a business associate, since around 1941.

Mr. CARR. Are you socially acquainted with him?

Mr. EVERS. No.

Mr. CARR. You have no reason to suspect his suitability?

Mr. EVERS. No.

Mr. CARR. How about Mr. Schoenwetter?

Mr. EVERS. I don't know him.

Mr. CARR. How about Mr. Martin, Bob Martin?

Mr. EVERS. I haven't known him except just on and off. I haven't seen him for a long time. I have never heard of anything, and I know of nothing, against him.

Mr. CARR. Concerning security conditions there in general, have you noted in recent months that there has been a larger number, say, in your own branch, in your own division itself, a larger number of, shall we say, these negligence type cases, leaving the documents out, leaving the building unsecure, or anything along that line?

Mr. EVERS. No. On the contrary, there has been rather a continuous tightening up of security. Actually, I can go so far as to say that the emphasis has been so strongly placed on security now that it is actually hindering our development work. There is so much time that must be spent in accounting for documents and checking them and taking care of them that our engineers do not have time.

Mr. JONES. It reduces the actual working time of the day considerably; is that correct?

Mr. EVERS. That is right.

Mr. JONES. In other words, there is a point of diminishing returns that it has almost reached.

Mr. EVERS. I think that is so. You would find that inasmuch as this is a department of defense regulation—I mean, they have increased the security regulations, as you are undoubtedly aware of, immeasurably, and to comply with them all of the services, I think you will find, are really in tough shape.

Mr. JONES. Don't you think there is good reason to tighten up the security systems?

Mr. EVERS. I think perhaps you do reach a point of diminishing returns. I know it is your business to locate these things. But if you reduce the time that we can spend on research and development, and the time it takes to circulate information within our organizations is increased, then you are also approaching this curve of diminishing returns, too. There has to be a nice balance. And I think, like any pendulum, we have probably gone over a ways, and that it will work itself out.

Mr. RAINVILLE. You are thinking primarily of production?

Mr. EVERS. I am thinking primarily of research and development, which is my business.

Mr. JONES. The daily work output has been severely reduced. That point has been brought out now two or three times.

Mr. RAINVILLE. Of course, the question that arises in my mind is: Isn't there another side to that same coin? You come to a point where it would be better if you didn't take the next step if that step was to be carried to the enemy? Wouldn't it be better to delay things until you are sure that you don't get them, if the other guy is going to get them simultaneously?

Mr. EVERS. Obviously we don't want to give anything to the enemy, and I don't think that anyone that I know does. But the system of check and double check and triple check has got to the point where—

Mr. RAINVILLE. It is cumbersome?

Mr. EVERS. Not only cumbersome. It is retarding. It is past the cumbersome stage.

Mr. RAINVILLE. The point I make is that we have had a number of people come in. I think at your level you have a right to make a criticism of it. We have had a number of people who are not at your level who have made that same criticism. They say, "It is too restrictive, too much of a handicap. I spend two hours getting papers ready, and then I have to spend two hours putting them back."

Mr. EVERS. This is true. This is the kind of thing.

Mr. RAINVILLE. But it seems to me that there is a point at which you have got to consider the fact that if we are going to do the en-

tire experimental work and turn the results over to them almost simultaneously with arriving at them ourselves, we might just as well not do them.

Mr. EVERS. I agree, if that were to happen.

Mr. RAINVILLE. Now, thinking solely of security, and not of production, don't you think it would be better to be handicapped a little bit with too much security?

Mr. EVERS. Yes, but let's say in the emphasis that is being placed the emphasis seemed to be entirely that way, so that instead of the scales being a little bit like this [indicating], it has gone way up over.

Mr. RAINVILLE. I don't know too much about physics, but in these swings a pendulum usually swings no farther one way than it had originally swung the other; so that if there is far too much now, there must have been a time when there was far too little.

Mr. EVERS. I don't know whether in this case it has followed strictly that law.

Mr. RAINVILLE. You are the one that used the pendulum swinging, and I am merely trying to get to the basic point of: if there is now too much, has there ever been too little?

Mr. EVERS. I can think of a time, in the time when I have been at the Signal Corps, when I have seen many of the other government agencies that have suffered from too little.

Mr. RAINVILLE. What would it take to convince you that we had had too little?

Mr. EVERS. Well, as I say, this is a personal opinion, from the way I have seen things taken care of.

Mr. RAINVILLE. Yes, but my question wasn't about that. My question goes to the base point. What would it take to convince you that there is too little security?

Mr. EVERS. Well, if I saw an utter disregard for classified information, then I would be certainly convinced and would do everything I could to get it stopped.

Mr. RAINVILLE. I am not questioning your background or anything else. I am merely trying to point out that people working under you are going to take their impressions from you. Therefore, if you say there is too much, they will reiterate: "There is too much."

If you say, "There is too little," they will reiterate, "There is too little."

You have the supervision of some forty men. Is that right? I was on the phone, but I thought you said forty.

Mr. EVERS. Two hundred.

Mr. RAINVILLE. Two hundred. But of the five people suspended, three of them were in your department.

Mr. EVERS. Let me say this. I know nothing of the charges that these men have had placed against them.

Mr. RAINVILLE. You can't think of any charges against them?

Mr. EVERS. To the best of my knowledge, the charges do not grow out of anything that was done within the laboratories.

Mr. RAINVILLE. Well, but we have had some statements from the people themselves that they have taken papers home to work on and that they have been lax about things, that they have been rep-

rimanded and so forth, which would rather clearly indicate that it has not been as tight as you feel it now is.

Mr. EVERS. Let's say it this way. In most engineering work and the like, you can never get 100 percent. To achieve 100 percent effectiveness in anything requires an effort which is almost inevitably not worth what you have put into it. I mean to achieve 100 percent security, we should take all classified documents, put them in safes, and never look at them again. Therefore, we would know they were secure. We would know they were there.

When you have to deal with people, then you do have the possibility.

Mr. RAINVILLE. I am sure it isn't the documents that are at fault in this. I am sure it is the human element. And, therefore, maybe the best thing to do would be to put the human beings into the safe.

Mr. EVERS. It might very well be.

Mr. JONES. What if anything have time studies out there in your department revealed in terms of efficiency standards? You said obviously it is impossible to obtain a hundred percent efficiency. It is, obviously. But what is the efficiency scale out there? About 75 percent?

Mr. EVERS. Well, I wouldn't be able to make a statement as to what it was.

Mr. JONES. Have any business consultants, management consultants, been out there to time study your operations?

Mr. EVERS. One doesn't usually do this through an engineering or research development organization. There has been at headquarters level a contract placed with an organization to see what can be done to improve the efficiency of the Signal Corps engineering lab's organization.

Mr. SCHINE. What is the name of the company that carried this work out?

Mr. EVERS. I can't tell you. I don't know.

Mr. JONES. One last question, Mr. Evers. In your years of employment out there, have you ever had any reason, either directly or indirectly, to suspect subversive activities, either within your department or within the Evans Laboratory?

Mr. EVERS. No, I can't remember anything.

Mr. JONES. In other words, in all the time you have been there, so far as you can see, everything has been decent and proper?

Mr. EVERS. That is correct.

Mr. JONES. I have no more questions.

Mr. SCHINE. Just one more question. Do you know Mr. Kieser?

Mr. EVERS. Sure. Maurice Kieser you are talking about? Yes, sir.

Mr. SCHINE. Would you tell us about Maurice Kieser?

Mr. EVERS. Well, he is the chief of the Countermeasures Branch. He was for a long time before that with the Applied Physics Branch. What there is to tell about him, I don't know.

Mr. SCHINE. He has a very sensitive job?

Mr. EVERS. Oh, exceedingly.

Mr. SCHINE. Did he come from Europe?

Mr. EVERS. I don't know what his background is.

Mr. SCHINE. You don't know anything about him?

Mr. EVERS. No.

Mr. JONES. How do you spell his last name?

Mr. EVERS. I think it is K-i-e-s-e-r.

Mr. RAINVILLE. In this term "countermeasures," are you referring there to a security kind of countermeasures for the plant itself, or are there over-all countermeasures covered under this? I am not trying to pry into—

Mr. EVERS. Oh, this was in the papers.

Mr. RAINVILLE. What I am getting at is this: We discover that a foreign country has a certain kind of a weapon. His job is to counter that weapon, rather than the counter-espionage type of thing?

Mr. EVERS. That is right.

Mr. RAINVILLE. Then as such he would not normally have the instruments or facilities or background to utilize or proceed upon a counter-espionage type of work?

Mr. EVERS. No. I think that is probably right.

Mr. RAINVILLE. Then if he were to suddenly turn up with the kind of equipment that would indicate he were in counter-espionage rather than countermeasures, you would say that is unusual, that is not in keeping?

Mr. EVERS. Well, I would have to know the situation. I mean generalities—for instance, what do you call counter-espionage? If he had some electronic device—

Mr. RAINVILLE. He could take a dozen things. Let's just take one. Pull it out of the air. Speaking within this room, we understand that our government has a rather new type means of listening in on telephone conversations, a new type of wire-tapping equipment. There would be no reason for his having that, if he was not in counter-espionage, in other words, if he was not monitoring some of the telephone conversations of people either coming into the plant or calling out or maybe some of these men in telephone conversations with people who are suspect or known Communists. He would not normally have that kind of equipment?

Mr. EVERS. Well, not unless he were assigned some job to develop.

Mr. RAINVILLE. I mean he is not normally assigned to that.

Mr. EVERS. I don't think he is.

Mr. RAINVILLE. That isn't part of his work, and therefore, if he had that piece of equipment, it would either have been sent him for repairs or to develop something that would stop it if the foreign country had it. It would not be something he would carry in his back pocket.

Mr. EVERS. Yes, he would normally have to either have some special instructions, or verbal instructions, or something.

Mr. RAINVILLE. I wanted to clarify in my own mind what kind of countermeasures he was handling.

Mr. EVERS. I wonder if you fellows would mind telling me your names, now that we have been talking.

Mr. SCHINE. This is Mr. Harold Rainville, Senator Dirksen's administrative assistant, and this is Mr. Robert Jones, Senator Potter's administrative assistant. That is Mr. Frank Carr, the executive director of the committee, and I am David Schine.

Thank you very much for coming in.

Mr. EVERS. If I can help you any more, feel free to call me.

Mr. JONES. Would you state your name and address for the record?

STATEMENT OF SOL BREMMER

Mr. BREMMER. Sol Bremmer, 557 Westwood Avenue.

Mr. JONES. That is B-r-e-n-n-e-r?

Mr. BREMMER. B-r-e-m-m-e-r, two m's.

Mr. SCHINE. Your current occupation?

Mr. BREMMER. Electronic engineer.

Mr. SCHINE. And where are you employed?

Mr. BREMMER. Squire Signal laboratory, Fort Monmouth.

Mr. SCHINE. And what are your duties there?

Mr. BREMMER. At the present time?

Mr. SCHINE. Yes.

Mr. BREMMER. I work with the Performance Test Section.

Mr. SCHINE. And, as such, what do you do? Test equipment?

Mr. BREMMER. Components, particular transformers.

Mr. SCHINE. How long have you been at Fort Monmouth?

Mr. BREMMER. Since March 1946.

Mr. SCHINE. Did you go to City College?

Mr. BREMMER. No.

Mr. SCHINE. Where did you go to school?

Mr. BREMMER. Brooklyn College.

Mr. SCHINE. Have you ever known Julius Rosenberg?

Mr. BREMMER. No.

Mr. SCHINE. You never knew Julius Rosenberg?

Mr. BREMMER. No. I don't know who he is.

Mr. SCHINE. His name isn't familiar to you?

Mr. BREMMER. Vaguely. I may know the man if I saw him. I don't know. The name doesn't sound familiar.

Mr. JONES. Mr. Bremmer, have you any brothers or sisters?

Mr. BREMMER. Yes, one brother.

Mr. JONES. What is his name?

Mr. BREMMER. Martin.

Mr. JONES. M-a-r-t-i-n?

Mr. BREMMER. That is right.

Mr. JONES. What does he do?

Mr. BREMMER. He is working in the Patent Office, Washington.

Mr. JONES. He is working in the Patent Office in Washington, D.C.?

Mr. BREMMER. Yes.

Mr. JONES. What did he do before he worked for the Patent Office?

Mr. BREMMER. He worked for some short wave equipment place.

Mr. JONES. Where is that located?

Mr. BREMMER. In the Bronx somewhere.

Mr. JONES. Is he now or has he ever been a member of the Communist party?

Mr. BREMMER. I don't know. I am not sure of that.

Mr. JONES. You mean you don't know whether your brother was or was not a member of the party?

Mr. BREMMER. I haven't seen him now for—I think it was last November I saw him. And we didn't see each other too frequently before that, especially since I got married.

Mr. JONES. Are you a member of the Communist party?

Mr. BREMMER. No.

Mr. JONES. Ever have been?

Mr. BREMMER. No.

Mr. JONES. Were you ever a member of the American Labor party?

Mr. BREMMER. Have I ever been a member? I once enrolled. I registered in the American Labor party.

Mr. JONES. What year was that?

Mr. BREMMER. It was, I think, 1948 or '49.

Mr. JONES. How were you introduced into the American Labor party? Through your brother?

Mr. BREMMER. No, I just registered.

Mr. JONES. Yes, you just registered. Well, how did you happen to register?

Mr. BREMMER. When I was discharged from the army, prior to my going into the army, the American Labor party was not what it was when I came out, and I didn't realize the split at the time, and since that time I realized that there was a definite split.

Mr. JONES. Yes. You learned that after you got out of the service?

Mr. BREMMER. Yes.

Mr. RAINVILLE. Had you known it before you went into the service?

Mr. BREMMER. No.

Mr. JONES. How long was your brother a member of the American Labor party?

Mr. BREMMER. I don't know.

Mr. JONES. Was it two years? Four years?

Mr. BREMMER. I don't know. I am not sure that he was. If he was, I don't know how long it was.

Mr. JONES. You say you do not know for certain whether he was a member of the Communist party or took any active part in it. Let me just tell you this, Mr. Bremmer. This committee will carefully look into and check everything you tell us here today.

Mr. BREMMER. Yes, sir.

Mr. JONES. This is Mr. Rainville here. He is assistant to Senator Dirksen of Illinois. My name is Jones. I am assistant to Senator Potter of Michigan. The fellow presiding here is named Schine, David Schine. He is chief consultant under Senator McCarthy. Every word that you say here we will check and double check. So we will take into consideration that many of these questions it is impossible for you to answer. Give us as much help as you can to the best of your knowledge. We can't expect you to remember everything.

Now, I am asking you again: Do you have any knowledge that your brother was a member of the Communist party?

Mr. BREMMER. Well, what I was about to say before you interrupted: I do know that he had a lot of—I shouldn't say "a lot of"—a number of his friends that were closely affiliated with the Communist party. When I say "affiliated," I mean I knew that they either belonged to the Communist party or were very much interested. The exact extent of their affiliation, of course, I don't know.

Mr. JONES. Where was he living at the time that he was active in Communist activities?

Mr. BREMMER. Where was he living?

Mr. JONES. Yes.

Mr. BREMMER. My brother?

Mr. JONES. Yes.

Mr. BREMMER. I didn't say he was active. He presumably was, being that he knew these people.

Mr. JONES. Sure. Well, where was he living at that time?

Mr. BREMMER. He was living in Brooklyn. He was living at home.

Mr. JONES. Living at home?

Mr. BREMMER. Yes.

Mr. JONES. Now, who were some of his friends? Can you remember the names of any of his friends who were members of the party or at least sympathetic to the party at that time?

Mr. BREMMER. I know their name, but it escapes me at the moment.

Mr. JONES. How about Morris Klein?

Mr. BREMMER. Well, I don't know. I can tell by sight. I don't know the name. I had in mind in particular somebody else, a different name. The name escapes me at the moment.

Mr. RAINVILLE. Might I ask if you would be willing to think about this and write down a number of these names as they come to you, and supply them to the committee?

Mr. BREMMER. A number of names?

Mr. RAINVILLE. Well, you might think of this fellow's name, or you might think of two or three others. If his name comes to you, a chain of recognition might be established which would bring in three or four other fellows who came in with him.

Mr. JONES. May I ask what year this was when your brother was residing at home, and at least ostensibly showed some interest in Communist activities? What year?

Mr. BREMMER. Well, he was discharged in May 1946. I was discharged in March. And I would say it was from the latter part of '46 until sometime in '47.

Mr. JONES. And where was he employed at that time.

Mr. BREMMER. My brother?

Mr. JONES. Yes.

Mr. BREMMER. He was in school.

Mr. JONES. What school?

Mr. BREMMER. He went to City College.

Mr. JONES. He was in City College at the time?

Mr. BREMMER. He reentered City College, completing as an electrical engineer.

Mr. JONES. What year did he graduate?

Mr. BREMMER. I don't know. It took about two years, I would say, for him to complete for his degree. He entered in February '46, and my guess is September '48.

Mr. JONES. Were you ever approached at any time to become a member of the Communist party, Mr. Bremmer?

Mr. BREMMER. No.

Mr. JONES. I have no other questions.

Mr. CARR. That is all.

Mr. JONES. Will you state your full name and address for the record?

STATEMENT OF MURRAY MILLER

Mr. MILLER. Murray Miller, 924 Rassmere Avenue, Wanamassa, New Jersey.

Mr. CARR. And you are presently employed at Fort Monmouth?

Mr. MILLER. At Evans Lab.

Mr. CARR. And what is your position?

Mr. MILLER. I am a GS-12 electronics engineer.

Mr. CARR. Has your security clearance been lifted, or is it still in effect?

Mr. MILLER. I have never been questioned about my security.

Mr. CARR. So that you still have clearance up through secret?

Mr. MILLER. That is right.

Mr. CARR. Where did you go to school, Mr. Miller?

Mr. MILLER. At New York University.

Mr. CARR. Have you ever received any disciplinary action at Monmouth for security reasons?

Mr. MILLER. No.

Mr. CARR. Lack of security, or anything in connection with security?

Mr. MILLER. No.

Mr. CARR. In your particular section, are you in contact with Mr. Ducore?

Mr. MILLER. I am not in that section. I am in another branch.

Mr. CARR. Do you know Mr. Ducore?

Mr. MILLER. I know him from the laboratory.

Mr. CARR. Do you know Mr. Coleman?

Mr. MILLER. Yes.

Mr. CARR. Is he in your section?

Mr. MILLER. No, he is in another branch too.

Mr. CARR. How do you know him?

Mr. MILLER. I went to work with Mr. Coleman. I believe it was about September 1941. And I worked with him, I think, through February of '44. I think that is when he went into the service. And then when I came back from service, he came back. I am trying to remember dates now. I am just trying to remember when I went back to work. I came back from service, and the group was split up, and then they assigned me to Coleman's section.

Mr. CARR. Are you acquainted with him socially?

Mr. MILLER. I shared a house with him in 1943, about six to eight months.

Mr. CARR. For six to eight months in '43?

Mr. MILLER. That is right.

Mr. CARR. Was that when you were both bachelors?

Mr. MILLER. That is right.

Mr. CARR. Did Jerome Corwin live there at that time?

Mr. MILLER. No, I believe he lived there earlier, and again later.

Mr. CARR. During your association with Mr. Coleman, did you ever learn of anything which would lead to a question that would make you suspicious of anything concerning his security?

Mr. MILLER. No. Although I worked with him and lived with him, we weren't too friendly, because I had a personal dislike for him.

Mr. JONES. Did you ever know a fellow by the name of Dexter Masters?

Mr. MILLER. I never heard the name before.

Mr. JONES. How about Jerome Corwin?

Mr. MILLER. I know Jerome Corwin.

Mr. JONES. How well do you know him?

Mr. MILLER. Fairly well.

Mr. JONES. Was it a social, or a business relationship?

Mr. MILLER. Both.

Mr. JONES. Would you describe that relationship?

Mr. MILLER. Well, we happened to build a house on the same lot. I knew him through the labs. We knew the fellows we used to hang around with.

Mr. JONES. When did you first meet him?

Mr. MILLER. At the laboratory.

Mr. JONES. What year?

Mr. MILLER. When I first came to work, in 1941, he was one of the group working there at the time.

Mr. JONES. And were you asked if you knew Herman Bremmer?

Mr. MILLER. I never heard of Herman Bremmer.

Mr. JONES. How well do you know Dr. Daniels?

Mr. MILLER. I went to work in Daniels' section in September of '48, and I believe it was some time in 1950 or '51 when that section split up, that he took over one group of the section, and we talked to each other in the hall and had mutual interests.

Mr. JONES. And I assume also you know Alan Gross?

Mr. MILLER. I know Alan Gross through the same means. We worked in the same group.

Mr. JONES. As long as you have been employed out there at Evans Laboratory, have you ever had any reason, in one way or another, to suspect or observe any subversive activities of any variety or any nature?

Mr. MILLER. I haven't seen any subversive activities of any variety or nature.

Mr. JONES. And you have never heard of any?

Mr. MILLER. Not of any activity by individuals. I have heard the results of the grapevine on suspensions. I never had any first hand information.

Mr. JONES. These suspensions here?

Mr. MILLER. These and prior suspensions.

Mr. JONES. What seemed to be the gist of that grapevine rumor?

Mr. MILLER. Well, I am trying to remember specific charges, about certain individuals seen buying a copy of the *Daily Worker*. That was one of the charges. And certain individuals being active in the CIO union that they tried to form there. That was another charge. I don't remember too many of them.

Mr. SCHINE. Do you know the name of the individual who was buying the *Daily Worker*?

Mr. MILLER. I don't remember. I can't tie the item up with the individual.

Mr. JONES. Do you know Paul Goldberg?

Mr. MILLER. I never heard of Paul Goldberg.

Mr. JONES. I am sorry. William Goldberg.

Mr. MILLER. I know him. He worked in the same branch.

Mr. JONES. Tell me this. I am quite curious. How well do you know Mr. Goldberg?

Mr. MILLER. Just enough to say hello to him in the hall, and I don't think we have had any dealings in the office where I had to do any work with him or have contacts with him.

Mr. JONES. When did he return from England?

Mr. MILLER. I heard yesterday he returned about two or three weeks ago.

Mr. JONES. Have you seen him since that time?

Mr. MILLER. No, I haven't.

Mr. JONES. You knew him prior to his trip?

Mr. MILLER. I knew him through the laboratory prior to that.

Mr. JONES. Prior to his visit to England, was he a man who displayed, well, may we say tension, anxiety, worry? And were these obvious traits?

Mr. MILLER. I wouldn't say "tension." I would say rather his mind was away from him.

Mr. JONES. What seemed to be worrying him?

Mr. MILLER. Nothing. In my opinion, it seemed to be more work and what he was doing, rather than anything that was evident.

Mr. JONES. Very conscientious?

Mr. MILLER. Very.

Mr. JONES. Takes a lot of worries home with him?

Mr. MILLER. I don't know. I don't know him that well. I have never had more than a "hello" with him, or a group of people would be talking and I would happen to be there in the group with him, and conversation would fly from one person to another.

Mr. JONES. Do you know Dr. Craig Crenshaw?

Mr. MILLER. Dr. Crenshaw is my boss.

Mr. JONES. We have reason to believe from the information that has come to us that Dr. Crenshaw has been or is now being investigated for security reasons.

Mr. MILLER. I heard about that yesterday, but that is the first I have heard about it.

Mr. JONES. Now, who told you about it?

Mr. MILLER. I don't remember. It was just the talk of several people that were hanging around.

Mr. JONES. Who were some of those people talking?

Mr. MILLER. People in the section.

Mr. JONES. For example? How would they hear of it?

Mr. MILLER. May I correct that? I think Mr. Gross mentioned it today.

Mr. JONES. Mr. Gross mentioned it to you today?

Mr. MILLER. He may have mentioned it.

Mr. JONES. And in what connection did he mention it?

Mr. MILLER. Just general talk that was going on.

Mr. JONES. Have you ever, at any time, known of an employee who possessed a small miniature camera on the premises?

Mr. MILLER. No.

Mr. JONES. Have you ever seen a small Minox camera, one of those about this large [indicating]?

Mr. MILLER. I have seen them, but not on the premises.

Mr. JONES. You have never seen any camera on the premises?

Mr. MILLER. I have seen and used cameras in the photographic section, and I have used cameras in connection with my work, but I have never seen a Minox camera on the premises at all.

Mr. JONES. Have you had occasion to order photographs or movies taken of your equipment or work?

Mr. MILLER. Quite frequently.

Mr. JONES. Who does that work for you?

Mr. MILLER. The reproduction branch.

Mr. JONES. Is that Leo Fary?

Mr. MILLER. He is one of the people. I don't think he has ever done a job for me. There are about a dozen or a half dozen photographers to come out on assignments.

Mr. JONES. Now, will you describe very clearly and concisely for the record what follows after you have ordered that a certain piece of equipment be photographed?

Mr. MILLER. Well, the initial work starts with my requesting the typist to prepare a reproduction work order, which, as I vaguely remember the channeling through the branch level, works out in such a way that I believe they pick up a number, and then it goes on to reproduction, and usually they call me to make an appointment with the photographer or to size up the job. The photographer comes with his equipment, and he may come prior to that and see what the work is like, and he takes his pictures at my direction and, maybe the same day or a day later, he will show me the proofs, and if captions are required for use of the pictures in a report, it goes down to the reproduction section, and there is work of some of the individuals there titling the pictures, following standard form.

Mr. JONES. Is this generally classed as secret information?

Mr. MILLER. Sometimes it is, and sometimes it isn't.

Mr. JONES. Have you ever photographed top secret information?

Mr. MILLER. I have no top secret clearance.

Mr. JONES. When these prints are made and reproductions are made, where are they filed?

Mr. MILLER. Usually the negative is filed in the central file in the reproduction section, and the prints or copies as we need them are sent to us. If they are confidential or secret, we——

Mr. JONES [continuing]. Sign off for them?

Mr. MILLER. Sign off for them. If they are restricted, we just sign as the work is done, and they are included in the reports or, if they are just record shots, they go into the file.

Mr. JONES. And it is customary at the end of the day's work to lock these up in the safe?

Mr. MILLER. They become part of the official files.

Mr. JONES. Is it possible or would it be possible for a person skilled in the use of a small camera to photograph any of the photographs?

Mr. MILLER. Very definitely.

Mr. JONES. Very definitely?

Mr. MILLER. To my limited knowledge.

Mr. JONES. I have seen these cameras this size [indicating], where you can just lean over and take a picture of this document or this paper, like this, and no one would know the difference.

Mr. MILLER. It is highly possible.

Mr. JONES. You say that is highly possible, within your very sensitive section of the Evans Laboratory?

Mr. MILLER. It is highly possible, but at least I try to make it my personal practice, if someone is not concerned with my work, not to have the information out.

Mr. SCHINE. Did you know Julius Rosenberg?

Mr. MILLER. I didn't know Julius Rosenberg.

Mr. SCHINE. Did you know him when he was at Fort Monmouth?

Mr. MILLER. I didn't know he worked at Fort Monmouth up until a few days ago.

Mr. JONES. Did you know Morton Sobell?

Mr. MILLER. No.

Mr. JONES. Did you know Bob Martin?

Mr. MILLER. I knew Bob Martin.

Mr. JONES. How did you know Bob Martin?

Mr. MILLER. Fairly well.

Mr. JONES. But how did you know Bob Martin?

Mr. MILLER. He came to work about the same time, and I got friendly with him in 1942, when we were both working in Washington. We used to go out at night to repair the radar equipment around Washington, in addition to other work. We both came back from the service, and I got friendly with him, because I had no car and he had a car and he used to pick me up for supper and we used to spend the evening together.

Mr. JONES. Did you meet Coleman through Bob Martin?

Mr. MILLER. No. I first went to work for him when I was assigned to his section.

Mr. JONES. Has your name ever been used as a reference by people working in the plant?

Mr. MILLER. I wouldn't know, because only once have I been questioned, in one division, and I assumed there may have been a record or may have been an association.

Mr. JONES. Do you know any Communists?

Mr. MILLER. I don't.

Mr. JONES. Do you know any persons who belong to any subversive organizations of any nature?

Mr. MILLER. I don't.

Mr. JONES. Employed at the plant out there?

Mr. MILLER. I don't.

Mr. JONES. It has been called to our attention, sir, and I would like to have your comments on this, that the reason underlying these suspensions is alleged to be one of anti-Semitism. What do you know about that?

Mr. MILLER. I don't know anything specific, or anything but an opinion, but from what little I know, I believe there is some basis for it. Bob Martin I understand is under suspension, and from what I know of him, he is a very conservative person. I don't believe he is the least bit subversive. Two of these people sitting outside, Paul Leeds and his brother Woodrow Leeds, are under suspension, and they are both very conservative and not in the least bit subversive. Dr. Daniels, as I say, I knew at work, and he and Mr. Gross were under suspension. Dr. Daniels isn't Jewish; I believe his wife is. If you ask me my opinion, are they subversive, I would say no.

Mr. JONES. I am not asking whether they are subversive. I am asking whether you believe there is any truth to these allegations that the discharges are as a result of an anti-Semitism basis.

Mr. MILLER. What I was building up to was that in view of all that and the number of people suspended that are Jewish, there may be some connection with anti-Semitism.

Mr. JONES. The only reason I ask this is because it was called to our attention, and we didn't know anything about it until it was brought out here by some of the people.

Mr. MILLER. I kind of rambled on here. I am sorry.

Mr. SCHINE. Thanks very much for coming over.

Mr. CARR. Which Mr. Leeds are you?

STATEMENT OF SHERWOOD LEEDS

Mr. S. LEEDS. I am Sherwood.

Mr. CARR. L-e-e-d-s?

Mr. S. LEEDS. That is correct.

Mr. CARR. And what is your employment at Fort Monmouth? What is your position and section?

Mr. S. LEEDS. Well, my official title is chemical engineer, and I have been working at plastics. I have been there about five years, and during that time I have never worked on anything above the grade of restricted.

Mr. CARR. That was "above restricted"?

Mr. S. LEEDS. No. I have worked up to and including restricted.

Mr. CARR. But never anything higher than restricted?

Mr. S. LEEDS. Never anything higher than restricted.

Mr. CARR. Now, you had clearance up to secret at one time?

Mr. S. LEEDS. That is correct, until last week.

Mr. CARR. And it was removed last week. Now, do you know why?

Mr. S. LEEDS. No. It is a great mystery to me. I would be glad to get some light on it and get together and see how much I could help the government in explaining it. But I don't know.

Mr. CARR. Well, first, do you know of the five men who have been suspended? I say "suspended" rather than speaking of having their clearances lifted. Do you know Mr. Coleman?

Mr. S. LEEDS. No.

Mr. CARR. Mr. Yamins?

Mr. S. LEEDS. Just a name to me.

Mr. CARR. Never ran into them at work?

Mr. S. LEEDS. I ran into one man who was recently suspended.

Mr. CARR. Who was that?

Mr. S. LEEDS. I believe it is Bernard Martin. Bob Martin, we call him.

Mr. CARR. And how do you know him?

Mr. S. LEEDS. Well, I met him about six years ago, a year or two after I got out of the army. I don't know the exact date. And my acquaintance with him has been assisting in his working. He does a lot of work around the house, builds cabinets, likes to work with his hands. He builds radios, likes technical things, and that has been my association with him.

Mr. RAINVILLE. Do you live at the same place he does?

Mr. S. LEEDS. No, I don't, but I did live there about ten days. He, I understand, has worked for the Signal Corps, or for the army, I should say—he was with the air force—for quite some time, quite some time before I got up here. When I first came here, I went to my brother's apartment. My brother happened to live in the same house as Mr. Bernard Martin, and I temporarily stayed there until I could find a room of my own.

Mr. CARR. Your brother's first name is—

Mr. S. LEEDS. Paul.

Mr. CARR. Now, do you know a man named Marcel Ullmann?

Mr. S. LEEDS. I don't even know the name. It is plain Greek to me.

Mr. CARR. And how closely are you associated with your brother at the present time?

Mr. S. LEEDS. Well, we are both married. We don't see each other too often. We are both busy. I happen to have a child and have my own home and am busy around the home. On the average, I probably see him perhaps an hour a week or so.

Mr. CARR. But you don't see Martin. You have met Martin, but you don't see him?

Mr. S. LEEDS. Well, I haven't seen much of him in the last year, but I saw quite a bit of him before that time, always on, we will say, a technical or an informal social basis.

Mr. CARR. Do you mean in connection with work?

Mr. S. LEEDS. No, nothing to do with work. Because I don't work with him.

Mr. CARR. But in groups of persons who work at Monmouth?

Mr. S. LEEDS. Well, not necessarily. I mean, for instance, I have been married now for three years. Before that time, the boys sometimes had dances. It was strictly social. There was nothing outside. It had no political significance. We might have a dancing group.

Mr. CARR. Are you yourself in any way affiliated with the Communist party?

Mr. S. LEEDS. In no way whatsoever.

Mr. CARR. Have you ever joined any Communist party fronts or what are alleged to be Communist party fronts?

Mr. S. LEEDS. No, no Communist party front or no subversive organization of any kind.

Mr. CARR. Do you belong to a union at the Reeves Laboratory?

Mr. S. LEEDS. No. I do have a savings account with the federal employees, the government-sanctioned union, but I am not a member of the union.

Mr. CARR. Were you ever a member of the FEAC, the Federation of Engineers, Architects, and Chemists?

Mr. S. LEEDS. No. The thing is foreign to me. The technical societies I belong to are the American Institute for Chemical Engineers and the ACS. As a matter of fact, I was a past secretary of the Monmouth County section of that.

Mr. CARR. Where did you go to school?

Mr. S. LEEDS. I got my degree at the Polytechnic Institute of Brooklyn. But before going there, I attended Cooper Union at night. I worked in the day, worked my way through.

Mr. JONES. Do you hold a master's degree?

Mr. S. LEEDS. No, just bachelor's.

Mr. CARR. Was any member of your family associated with the Communist party or Communist fronts, to your knowledge?

Mr. S. LEEDS. Not to my knowledge.

Mr. CARR. Or associated with the American Labor party?

Mr. S. LEEDS. If it is, it is not to my knowledge.

Mr. CARR. Have you ever belonged to the American Veterans Committee?

Mr. S. LEEDS. Never.

Mr. CARR. Are you a member of any veterans organization?

Mr. S. LEEDS. No.

Mr. CARR. Were you ever suspended or reprimanded for any lax security at Monmouth?

Mr. S. LEEDS. No.

Mr. CARR. Never received a letter of reprimand for leaving anything out?

Mr. S. LEEDS. No. As a matter of fact, without warning one day last week, I was asked for my badge. That was the first indication I had.

Mr. CARR. All right. Thank you very much.

Mr. CARR. Your name is Paul Leeds?

STATEMENT OF PAUL M. LEEDS

Mr. P. LEEDS. Paul M. Leeds. The middle initial is M. The name is Morton.

Mr. CARR. And what is your present position at Fort Monmouth?

Mr. P. LEEDS. Well, I am a field engineer. The nature of the equipment I handle as a field engineer has been changed since my clearances were dropped. As a field engineer, I handle our administrative production contracts. Originally I handled meteorological equipment, and now I am going to handle, I presume, vehicular radio equipment.

Mr. CARR. Your clearance was suspended what day?

Mr. P. LEEDS. I believe it was the 29th of September.

Mr. CARR. Do you have any idea why your clearance was picked up.

Mr. P. LEEDS. No. I really don't. I have been baffled by it. I have tried to get information about it. The only thing I can say, and I don't know if it is being held against me or not, is that I did live with Bob Martin before I was married.

Mr. CARR. You lived at a bachelors' quarter at what address.

Mr. P. LEEDS. 855 Woodgate Avenue.

Mr. JONES. Where is that? In Long Branch?

Mr. P. LEEDS. It is Alberon, but Alberon is actually part of Long Branch. There are other apartments there too. Military personnel live there.

Mr. CARR. Were you closely associated with Martin when you lived there?

Mr. P. LEEDS. We lived in the same apartment. I never worked in the same area with him.

Mr. CARR. Were you closely associated personally with him?

Mr. P. LEEDS. I would say that I was closely associated with him as you might be with somebody living in the same apartment.

Mr. JONES. Did you know Aaron Coleman?

Mr. P. LEEDS. I know who he is.

Mr. JONES. Where did he live at that time? Do you know?

Mr. P. LEEDS. I know he lives in Long Branch, and I believe he lives on Branchport Avenue, but I wouldn't want to swear to it.

Mr. CARR. Is there any particular action on Mr. Martin's part, or any associations of his, that give you any idea as to why he was suspended?

Mr. P. LEEDS. I know of none, but in fairness to you, he told me about his charges. Because after my clearances were dropped, I went to see him. Because I hadn't realized what had happened to him. Because his suspension apparently preceded the reduction of my clearances. And he told me about what he was charged with.

Mr. CARR. Well, there is one charge, isn't there? Did he show you his letter of suspension?

Mr. P. LEEDS. He showed me the letter, yes. The only thing—I can't of course comment on what is involved in his work, I don't know. And I don't know anything about his father. I never met him. I will say this: that he was a member of the American Veterans Committee, I know that. And he had discussions with me long before what happened to him did happen.

Mr. RAINVILLE. Are you a member of the American Veterans' Committee?

Mr. P. LEEDS. No, sir.

Mr. RAINVILLE. Are you a member of any veterans' organization?

Mr. P. LEEDS. No, sir.

Mr. RAINVILLE. Are you a veteran?

Mr. P. LEEDS. Yes, sir.

Mr. CARR. What were these discussions about?

Mr. P. LEEDS. Well, he discussed what had happened to the American Veterans Committee in this sense—and it was something that I had observed, because I had attended one session—he had some hearing in New York. I don't know exactly what it was about, because actually he is quite an uncommunicative fellow. And he asked me if I would want to testify for him about this particular meeting which I attended. I attended because it was a meeting on some kind of resolution, anti-Communist, anti-Fascist resolution, and I told him when he moved in—because he moved in with us—

Mr. RAINVILLE. You were there first?

Mr. P. LEEDS. Yes. He moved in after that meeting had taken place. I don't remember exactly when. But I told him that the thing that had happened was a disturbing thing, because within the organization we apparently at that meeting had developed this hard nucleus or core of people who apparently were communistic, and what had developed actually in a looser form, was a group that were anti-communistic. I couldn't identify the people who were anti-communistic. I could identify one Communist at the meeting, who identified himself. He got up and said, "I am a Communist."

Mr. RAINVILLE. Who was that?

Mr. P. LEEDS. A fellow by the name of Bennett.

Mr. RAINVILLE. Bennett?

Mr. P. LEEDS. Bennett. I don't know whether he worked at the laboratories or not.

Mr. CARR. Where was this meeting?

Mr. P. LEEDS. I know it was in Asbury Park, and I believe it was at the Jewish War Veterans. I think it was the community center, the Jewish Community Center, in Asbury Park. And Bob was also upset, he told me, because at one time he had been involved in arranging some housing meeting. They were going to have a speaker down, and he claimed the Communist group deliberately sabotaged it, because they couldn't get it themselves.

Those are my only impressions of him in relation to the AVC, because those were the things he did tell me.

Mr. RAINVILLE. Do you know anybody in your own family that has had any contact with Communist organizations or Communist fronts?

Mr. P. LEEDS. I am not aware of any.

Mr. RAINVILLE. You yourself have not had any?

Mr. P. LEEDS. No, sir.

Mr. RAINVILLE. You have not belonged to any of these so-called Communist front organizations?

Mr. P. LEEDS. I am quite positive of that.

Mr. RAINVILLE. Your wife and her family?

Mr. P. LEEDS. Well, I don't know her family well. I will say that. I really doubt that there are any Communists in her family. Her father, though, was a conscientious objector in World War I. She has told me that. I knew it when I married her. And he may have been radical himself. But he has been dead for about eleven years. I don't know when he died.

Mr. RAINVILLE. Nobody in your brother's family, that is, his wife's people, that you know of?

Mr. P. LEEDS. I doubt that very strongly. I have met most of them. I know my sister-in-law's family better than I know my wife's, actually, because I see them all summer.

Mr. JONES. Did you say you knew Dr. Craig Crenshaw?

Mr. P. LEEDS. No.

Mr. JONES. You don't know Dr. Crenshaw?

Mr. P. LEEDS. No. I may know him by sight. I don't think I recognize the name.

Mr. JONES. Did you ever know a Dexter Masters? They are radar specialists.

Mr. P. LEEDS. I know very few people in radar, except those who may have gone to school with me, in one form or another.

Mr. JONES. Do you know Sol Bremmer?

Mr. P. LEEDS. Oh, the fellow—yes, I have met him before. I have met him also at work.

Mr. JONES. Do you know his brother, Herman, very well?

Mr. P. LEEDS. I don't know his brother at all. I know his wife; that is, she knows me better. She recalled that I worked with her years ago before I went into the army.

Mr. JONES. As long as you have been employed out there, have you ever had any reason to believe, either indirectly or directly, or rather, see either directly or indirectly, any subversive activities of any nature or variety?

Mr. P. LEEDS. No, the only subversion I did see was in the AVC. That was by a group that I consider a hardcore small group of people I believe to be Communists.

There is one person who did identify himself, and I know a quack.

Mr. JONES. Was Harry Brandt a member of that group?

Mr. P. LEEDS. I don't know. You see, I know Brandt from the last year or so. I belonged to the same organization, one of the organizations he belonged to. I know he belongs to an awful lot of them.

Mr. JONES. You don't know whether he belonged to this?

Mr. P. LEEDS. No, I don't know.

Mr. RAINVILLE. What organization do you belong to?

Mr. P. LEEDS. The Knights of Pythias.

Mr. CARR. You have never belonged to the Communist party?

Mr. P. LEEDS. Definitely not.

Mr. JONES. You have never been approached to join?

Mr. P. LEEDS. The only thing I have ever been approached to join was the Progressive party, and I refused to join.

Mr. JONES. Do you know of any Communists out there at the Evans Laboratory?

Mr. P. LEEDS. Not knowingly. There is nobody I know out there who I consider a Communist.

Mr. JONES. No one suspected to be?

Mr. P. LEEDS. No. I have to admit my relations there are mostly business, mainly meteorological equipment, and it is scarcely social.

Mr. RAINVILLE. What do you think of the security provisions out there?

Mr. P. LEEDS. At Evans itself? Certainly at Evans it is much more strict than any place I know of, and actually, in so far as I am concerned, since I have handled really only unclassified equipment, it has been largely unnecessary. But I realize they have other things there. It is stricter than anyplace I know of. I never go in there without having to sign in, and I never leave without having to sign out.

Mr. RAINVILLE. Do you think it is too strict?

Mr. P. LEEDS. At Evans at one point I thought it was. That is when I had to show both my card and badge when I left. I had to queue up. It is an awkward place to get in and out of Evans, because there is such a spread of buildings.

Mr. RAINVILLE. There has been some feeling here that the holding of these hearings has resulted in this rash of suspensions and lifting of clearances out there. Do you get that impression too?

Mr. P. LEEDS. I get it very strongly. Because, if I can speak for myself—

Mr. RAINVILLE. I wish you would.

Mr. P. LEEDS [continuing]. I have no reason to question myself. And I have examined my conscience and my relationships in the last week, to question myself as a security risk for the country and I certainly can't. And I don't think anybody who knows me closely can.

Mr. RAINVILLE. Do you think perhaps this is protective measure out there, that they think this committee may find something, or they want to be on the safe side, or they want to nullify the work the committee is trying to do by beating them to the punch, so to speak?

I am not trying to put words in your mouth—

Mr. P. LEEDS. It is a feeling of mine but it is something I couldn't substantiate, because I have gone from one office to the other and wound up at the G-2 Office, and I have been met with no other information than to sit tight.

Mr. RAINVILLE. One other question. You say you feel that this committee may have precipitated this thing. Yet we have had some other fellows in here who feel that this is part of an organized anti-Semitic movement.

Mr. P. LEEDS. I have a similar information. I didn't want to so address myself to you, because I don't want to give you the impression that I have a persecution complex.

But knowing a little about probabilities, it seems unlikely that so many people of the Jewish faith would be affected.

Mr. RAINVILLE. Wouldn't that depend upon how many people of the Jewish faith were working out there?

Mr. P. LEEDS. I don't think it is a very high percentage there.

Mr. RAINVILLE. What would you guess is the percentage?

Mr. P. LEEDS. I would guess it is less than 30 percent.

Mr. RAINVILLE. Well, of course, that is a pretty good percentage, isn't it, as an overall percentage?

Mr. P. LEEDS. It is. I can tell you this. I can tell you the effect of all of this. Any damage that could be done to me personally has already been done, because people consider me as subversive. You see, my job has been changed. Even though I handled unclassified equipment before, I have been transferred to other unclassified equipment. I don't know the reason for it, and I can't find out. I didn't really question it. I have no reason to question it. But from a unit chief—I am working now for another unit chief. People ask questions about me, contractors with whom I have had regular communications, ask questions, and so it has proven very embarrassing to me.

Mr. RAINVILLE. Yes, but, Mr. Leeds, my point is that if it is part of an organized anti-Semitic movement, then presumably it couldn't very well be tied in closely with these meetings here, because, if it is organized, it must have been planned, and they just didn't sit back and wait.

Mr. P. LEEDS. I didn't mean to imply that it is organized. I don't know if there is any organized group there. I am sure that no matter where you go you will find anti-Semitism and anti-Catholicism and almost anti-anything, in certain degrees of proportion. But the feeling I got is that it could be the outgrowth of maybe an individual or a few individuals, and their anti-Semitism.

Mr. RAINVILLE. Then you would have to kind of put your finger on it.

Mr. P. LEEDS. I can't put my finger on it.

Mr. RAINVILLE. Because almost everybody who has been in here today has been a unit chief or a division chief or a section chief. Everybody who was in here yesterday had an official position, and in every case they were Jewish. Where does that begin?

Now, Dr. Daniels, here, started talking about the fact that he thought he was being persecuted because he was tough. He didn't object to firing a person if they weren't up to snuff at the job. When you ask him for specifics, he named two people. One was Jewish and one was not. And his chief trouble is coming from the Jewish

one. He believes that way, anyhow. That would make him anti-Semitic, and yet he is the one who proposed the question, that it was because he was married to a Jewish woman.

Mr. P. LEEDS. I can give you a logical answer to what seems a logical question, because I have such a scarcity of information, actually.

Mr. RAINVILLE. What I am trying to do is to pin the thing down, actually, as to where this thing comes in.

Mr. P. LEEDS. I can tell you where the feeling comes in. It comes in from references in everyday work. For example, my wife came home in tears one day. Some woman at the office was expressing the differences in the prices that the army paid for something, and the navy, and for some reason or other she blamed it on the Jews. No reason given. I mean, there is no logic to it.

Mr. RAINVILLE. Then what you are saying is that this may be a post, rather than an antecedent of this firing. Perhaps since they were fired, and there is the coincidence that the fourteen are Jewish, that has occasioned the feeling.

Mr. P. LEEDS. Because there is that kind of conversation. I mean, I have experienced it myself, and I feel free to discuss it with anybody, anti-Semitism in different ways and in different places, and I can't say it is much more marked.

Mr. RAINVILLE. Of course, I could take the other side. I went to a high school that was 98 percent Jewish. It wasn't anti-Semitic, it was anti-Christian.

Mr. P. LEEDS. I don't say the Jews are any different than anybody else.

Mr. JONES. Would you say that this alleged anti-Semitism out there may stem from the security board?

Mr. P. LEEDS. I couldn't say for sure.

Mr. JONES. Would you say it would resolve itself down to a few individuals out there?

Mr. P. LEEDS. If you approached it more logically, it seems to me, yes.

Mr. JONES. Who is the civilian member of the security board?

Mr. P. LEEDS. The only one I have spoken to is Mr. Reid, and I guess he is the chief investigator. I don't know him personally, and wouldn't want to make any accusations against him.

Mr. RAINVILLE. You don't know of any effort on the part of the B'nai B'rith or the Anti-Defamation Society to take action in this thing?

Mr. P. LEEDS. I know that the Anti-Defamation League is looking into it.

Mr. RAINVILLE. You know that directly?

Mr. P. LEEDS. I don't know what they are going to do. I really don't know what they are going to do.

Mr. RAINVILLE. But you do know this directly?

Mr. P. LEEDS. I do know that the Anti-Defamation League is interested. That is all I do know. That is actually as much as I know.

Mr. RAINVILLE. Where do you get your information from?

Mr. P. LEEDS. Well, I have spoken to Mr. Katchen, who is a lawyer out there, and is the lawyer for the Anti-Defamation League. I don't know his official position. I would say he is a representative of the Anti-Defamation League.

Mr. RAINVILLE. What gives you that impression? Something he said? Or do you know it for a fact?

Mr. P. LEEDS. From having spoken to him. I am not a member of B'nai B'rith or the Anti-Defamation League.

Mr. RAINVILLE. So that you normally would not know whether he was a member or an official or not. Does he get paid by them, or what?

Mr. P. LEEDS. I don't know that. I went to Mr. Katchen, not immediately, because he is a member of the Anti-Defamation League, but because Mr. Katchen is what you might call a leading citizen out there, and a person who might be able to help me, because I haven't been presented with any charges. And there is also the possibility that I might have to retain Mr. Katchen as a lawyer yet.

Mr. RAINVILLE. Who recommended him to you?

Mr. P. LEEDS. Well, I know Mr. Katchen.

Mr. RAINVILLE. You know, him personally?

Mr. P. LEEDS. I know him personally. He handled some legal matters for us when I was living at this bachelor apartment.

Mr. RAINVILLE. Then you have known him over a period? That was '46, was it?

Mr. P. LEEDS. Oh, I have known him—I was also a member of the Zionist organization at one time, and he was active.

Mr. RAINVILLE. So you have good reason for believing that he is active in other societies?

Mr. P. LEEDS. He is a prominent Jewish leader out there. There is no question about it.

Mr. RAINVILLE. But being a prominent Jewish leader might not keep him in the Anti-Defamation League.

Mr. P. LEEDS. I have been told—I will put it that way—that he is a district representative. Now, I may be wrong about that.

Mr. RAINVILLE. Well, we made an attempt to check, and did not find so. That doesn't necessarily mean it isn't so.

I don't think I have any more questions.

[Whereupon, at 4:22 p. m., a recess was taken until Monday, October 12, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Marcel Ullmann (1905–1992) later testified in a public hearing on December 10, 1953. Louis Volp (1910–1986), William Patrick Lonnie (1914–1995), Henry F. Burkhard (1898–1987), and Herbert F. Hecker (1911–1973), did not testify in public.]

MONDAY, OCTOBER 12, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory was convened at 11:15 a.m., pursuant to call, in room 1402 of the Federal Building, Mr. G. David Schine, chief consultant, presiding.

Present: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel.

Mr. CARR. Mr. Volp, will you give us your name, please?

STATEMENT OF LOUIS J. VOLP

Mr. VOLP. Louis J. Volp, V-o-l-p.

Mr. CARR. What is your present position?

Mr. VOLP. My present position is deputy chief, System Section, Radar Branch, Evans Signal Laboratory.

Mr. CARR. Your grade?

Mr. VOLP. GS-13.

Mr. CARR. You are deputy chief?

Mr. VOLP. Yes, sir.

Mr. CARR. Who is your chief?

Mr. VOLP. Mr. Sam Levine.

Mr. CARR. That is at Evans Laboratory at Fort Monmouth?

Mr. VOLP. That is right.

Mr. CARR. You are cleared for security?

Mr. VOLP. Yes, sir.

Mr. CARR. Up through secret?

Mr. VOLP. Through secret.

Mr. CARR. And that is still in effect?

Mr. VOLP. Yes, sir.

Mr. CARR. Now, would you give us a little of your background. Were you originally from New York?

Mr. VOLP. Yes. I will start from the beginning, if you want.

Mr. CARR. Just briefly.

Mr. VOLP. I was born in Corona, Queens, in 1910, and I lived there up until 1936. In 1936 I was married, and I moved to Woodside, and I lived in Woodside until February of 1941.

Mr. CARR. What is your wife's name, please?

Mr. VOLP. Maiden name, Anna Baumeister, B-a-u-m-e-i-s-t-e-r.

In February of 1941, because of illness in her family, and more particularly we had to give up our apartment and move with her mother.

In September of 1941, I obtained a job at Fort Monmouth, and moved down to Long Branch, and I have lived in Long Branch area since then.

Mr. CARR. You have been working at Monmouth since 1941?

Mr. VOLP. Yes, specifically for—let me put it this way—from September of 1941 until about April or so of 1942, I worked at Fort Hancock, which was a sub-post of Monmouth, and then from then on I moved down to Evans and I have been down there since.

Do you want my schooling?

Mr. CARR. What was your schooling?

Mr. VOLP. I attended public school in Queens 16 and 19, and then Newtown High School, and I graduated from Newtown High School in 1928 in February, and I stayed over until June taking postgraduate work in the hopes of obtaining a scholarship, but because of personal difficulties at home I had to quit, and I went to work in July of 1928 for the Consolidated Edison Company of New York.

In September of 1929, I enrolled at City College, night course, and I continued there and finally graduated in 1939.

Mr. CARR. In 1939?

Mr. VOLP. Yes, sir.

Mr. CARR. You went nights?

Mr. VOLP. Nights, yes, sir.

Mr. CARR. While at City College, did you meet Julius Rosenberg?

Mr. VOLP. No, sir, not to my knowledge.

Mr. CARR. Do you know the Julius Rosenberg, the convicted spy?

Mr. VOLP. Yes, sir; I did not.

Mr. CARR. Isn't it true you attended classes with him?

Mr. VOLP. Not to my knowledge, sir.

Mr. CARR. What subjects did you take at CCNY?

Mr. VOLP. I took the course leading to bachelor of electrical engineering degree, which included, among other things, standard history courses—

Mr. CARR. Mathematics?

Mr. VOLP. Yes, mathematics, physics, engineering, theoretical, laboratory, and also economics, English, and public speaking, and so forth. If I attended classes with him, I certainly don't recall it.

Mr. CARR. If you attended classes with him, it was a large class and you didn't realize he was in the class which you attended?

Mr. VOLP. No, sir. These classes were all night classes, by the way.

Mr. CARR. Your initial is "J," Louis J.?

Mr. VOLP. That is right.

Mr. CARR. All right. But you have no personal recollection of having attended any classes with him?

Mr. VOLP. I do not.

Mr. CARR. Did you meet him later when you worked at Fort Monmouth?

Mr. VOLP. No, I didn't. I did meet a Rosenberg, and I have given this information to the FBI, by the way, and I met a Lieutenant Rosenberg who apparently worked at the Newark dispatcher's office, Signal Corps, and at the time I met him I was doing contract work on certain equipment for Monmouth, and the work involved some of the work the inspectors were doing, and that is the only Rosenberg I recall, with one exception of another Rosenberg which apparently worked at—I don't recall particularly now.

Mr. CARR. All right, then. So all of the time you have been at Monmouth, you have never run into any Rosenberg there?

Mr. VOLP. Not to my particular knowledge.

Mr. CARR. Would you know Morton Sobell?

Mr. VOLP. No, sir, I do not.

Mr. CARR. You never met him?

Mr. VOLP. No, sir.

Mr. CARR. Now, at the Evans Laboratory, have you had contact with Aaron Coleman?

Mr. VOLP. Yes, sir.

Mr. CARR. What sort of contact did you have?

Mr. VOLP. That is purely on a business basis, and it might be explained this way—sometime at the end of the war, Mr. Coleman was returned from active service and was assigned to the same section I worked in, which was Radar Equipment Section at that time. Some time later, another section was set up, a System Section, and he was moved in as chief of that.

As time went on, I was moved out of Radar Equipment Section and put on the staff of the branch chief handling contracts. Then my work, or I did come in contact with Mr. Coleman as part of the contractual activity of the branch and the planning of the branch.

Mr. CARR. In your contact with him, it was always at the job?

Mr. VOLP. It was always at the job.

Mr. CARR. You never had any social contact with him?

Mr. VOLP. No, sir. I do, however, have to admit that we had a driving pool, and he was a member of that pool.

Mr. CARR. Well, that approaches social activity, doesn't it?

Mr. VOLP. I might give you the background on that. During the war, with gas rationing, we were directed at the laboratories to set up driving pools, and this went into effect very early in 1942, and since that time I have been in a pool with various individuals, as people come into jobs or move from place to place.

Mr. CARR. Who else was in the car pool at the time that he was, in 1942?

Mr. VOLP. He was not in it in 1942. He did not come in until about 1947 or 1948.

Mr. CARR. Who else was in the car pool at that time?

Mr. VOLP. Mr. Jerome Corwin, Mr. Harold Ducore, and I think Mr. William Gould was in it for a time.

Mr. CARR. That car pool existed right up to the present time?

Mr. VOLP. Just about, yes, sir.

Mr. CARR. Until Coleman and Ducore were suspended?

Mr. VOLP. Yes, sir.

Mr. CARR. Coleman—you didn't live with them, however?

Mr. VOLP. No, I did not.

Mr. CARR. However, Coleman and Corwin lived together during a part of this time?

Mr. VOLP. I believe they did, Coleman and Corwin, yes, I think they did.

I might explain that. I was married, and I have my own place, and I understand these fellows were bachelors and apparently shared an apartment or a house.

Mr. CARR. Now, in all of your—how many years has this been, may I ask you that, that that car pool has existed that they have all been in?

Mr. VOLP. It was 1948 up to—

Mr. CARR. A week or two ago?

Mr. VOLP. I would like to add the point, it was from the spring of 1948 to the best of my recollection, until about the early part of 1952, that Coleman dropped out and Ducore continued with the rest of us, and we picked up another rider late in 1953, just this year.

Mr. CARR. Who was that?

Mr. VOLP. Mr. Leonard Shield, and it had existed up until recently.

Mr. CARR. Now then, in this period of time since 1948 up through now, you must have become pretty well acquainted with Mr. Coleman.

Mr. VOLP. No. I am afraid I didn't, with the exception of the work he was doing, and personally, no, and socially, no.

Mr. CARR. You mean that all of that five years of riding in a car pool, you had little or no conversation with him?

Mr. VOLP. We had conversations, yes, naturally; conversations about the average, every-day occurrences, mutual engineering problems. I might point out that all of the individuals except myself were taking additional courses in school, and there were mutual school problems that came up, and we talked about administrative problems that we had since we were all in, you might say, management positions.

Mr. CARR. Did Coleman ever discuss Julius Rosenberg at the time the Rosenberg case came up, and it was prosecuted approximately two years ago?

Mr. VOLP. I don't recall that Coleman discussed that. However, I was visited by the FBI at that time, and I was then informed, after I answered questions, that apparently Coleman did know Sobell and Rosenberg by name, but as far as discussions, there were none particularly that I recall.

Mr. CARR. What else did they ask you about Coleman?

Mr. VOLP. They asked me if I knew him, and when I first met him, and had I seen him in school, and had I known him in school, and so forth, and if I knew anything about his personal life, and so forth.

Mr. CARR. And you weren't able to help them?

Mr. VOLP. I couldn't give them any information, no, sir; outside of working on the job, I have made maybe, one or two visits to contractors' plants with him.

Mr. CARR. You never visited his home?

Mr. VOLP. I never did, no, sir.

Mr. CARR. Well, now, did you then discuss with Coleman the fact that the FBI had asked you concerning him?

Mr. VOLP. I did not.

Mr. CARR. You never mentioned that?

Mr. VOLP. No, sir.

Mr. CARR. Let me ask you this: In all of the time he has been in your car pool, and subsequent to the interview of you by the FBI, did you ever have any reason to suspect his loyalty or suitability for work at Fort Monmouth?

Mr. VOLP. No, I did not.

Mr. CARR. Weren't you concerned over this visit of the FBI and the fact that they said that he was close to both Rosenberg and Sobell?

Mr. VOLP. I was concerned. However, they did not imply that he was close; they implied that he knew both of them from school, and as a matter of fact they asked me if I knew them, and I was not able to help them. I was concerned with the fact that both Rosenberg and Sobell went to City College, and so did I.

Mr. CARR. What year was this interview?

Mr. VOLP. I don't recall.

Mr. CARR. What is the last time they contacted you?

Mr. VOLP. That was the one and only time they contacted me.

Mr. CARR. Was it a year ago, or two years ago?

Mr. VOLP. No, it was probably closer to, as a guess, probably three years ago.

Mr. CARR. And then—let me ask you, did you know that Morton Sobell used to visit with Coleman?

Mr. VOLP. No, I did not.

Mr. CARR. None of that ever came up in your conversations?

Mr. VOLP. It never did.

Mr. CARR. Did you consider yourself a friend of Coleman's?

Mr. VOLP. No, I would say a business associate. I might add that I felt protected in that Coleman was cleared, and I assumed he ought to be, and we were at least able to discuss things with him on a business basis; and as far as social life, and so forth, I had no contact with him.

Mr. CARR. Were you friendly with anybody else in the car pool on a social basis?

Mr. VOLP. No, sir.

Mr. CARR. How about Corwin?

Mr. VOLP. I was not socially acquainted with him, and never visited at his home, either.

Mr. CARR. How about Harold Ducore?

Mr. VOLP. I never visited his home, either.

Mr. CARR. Were you asked about Ducore?

Mr. VOLP. No, I was not.

Mr. CARR. Only Coleman?

Mr. VOLP. Yes, sir.

Mr. CARR. Who remains in the car pool now, just Corwin and yourself?

Mr. VOLP. Corwin, myself, and Sam Levine.

Mr. CARR. Sam Levine. He was a College of the City of New York graduate?

Mr. VOLP. I believe he was.

Mr. CARR. Was he in your class?

Mr. VOLP. No, sir. He went to day school, and I don't know what time he got out.

Mr. CARR. Did he ever mention Rosenberg or Morton Sobell?

Mr. VOLP. No, sir, he didn't.

Mr. CARR. During the car pool time, was there anything discussed by anyone in the car pool concerning the Rosenberg case?

Mr. VOLP. The only thing I can specifically recall was when the case was brought to a final conclusion, and the general opinion there was that everyone was satisfied that it was as it should be, and I might say that all expressed that same opinion.

Mr. CARR. You mean at the time of the execution?

Mr. VOLP. Yes, sir.

Mr. CARR. Was Coleman in accord with the general opinion of the car pool in that regard?

Mr. VOLP. He expressed his opinion as being in accord.

Mr. COHN. Had Coleman told you that he went to Young Communist League meetings with Rosenberg?

Mr. VOLP. No, sir, he did not.

Mr. SCHINE. Mr. Volp, do you recall anybody in the car pool carrying a briefcase regularly?

Mr. VOLP. Regularly? I might say that Coleman carried one.

Mr. SCHINE. Coleman carried a briefcase?

Mr. VOLP. I can't say regularly, though.

Mr. SCHINE. Did Mr. Coleman ever open the briefcase in the car?

Mr. VOLP. Not to my knowledge, no, sir.

Mr. SCHINE. He never opened the briefcase?

Mr. VOLP. No, sir. I might add that quite often when he carried a briefcase, I think in general it was in connection with visits that he was making to various plants, and contractors' plants and other government installations.

Mr. SCHINE. Would you say he was extremely cautious about his briefcase?

Mr. VOLP. I would say he exercised the caution that we are supposed to exercise according to regulations; that is, when we carry a briefcase we are to keep it with us all of the time, and that is to physically hold it, and I think he did that, yes, sir.

Mr. SCHINE. And he never reached into it for something, in the car, or opened it for any reason, as far as you can remember?

Mr. VOLP. Not to my particular knowledge. I know he carried school books, and whether he carried a briefcase in connection with the school books is another question, and I don't recall that, frankly. Specifically, to see him open a briefcase, I don't recall.

Mr. CARR. That is all, Mr. Volp. Thank you very much.

Is there anything else, Mr. Volp, that you might be able to help us with?

Mr. VOLP. There is only one thing. That is, in my going to school at night, I had, as far as I know, no contact with any of the day session people. It took me a long time to get through, ten years, and of all of the people that have gone with me to class at night, there is only one that I know of that is down at Evans now, and that is a Victor Suski. He, as far as I know again, was a fully night student.

Mr. CARR. You have no reason to suspect his suitability?

Mr. VOLP. No, sir.

Mr. CARR. For the work?

Mr. VOLP. No, sir.

Mr. COHN. How many people were in your car pool originally?

Mr. VOLP. Originally, until recently, five.

Mr. COHN. Then Coleman and how many are in there now? Is that Coleman and Ducore that were in there?

Mr. VOLP. There are three of us left. I made a mistake before, I am sorry. I would like to correct the record. I am glad you brought it up. You asked me who was in the car pool. Now it is myself, Sam Levine, and Jerome Corwin, and Leonard Shield. There is four, sorry.

Mr. COHN. The only persons who are missing are Coleman and Ducore.

Mr. CARR. Ducore dropped out some time ago, just in the last week when he was suspended, and so it is Coleman and Ducore.

Mr. VOLP. That is right. We tried to keep it five, because all of us have families and our wives want the cars.

Mr. CARR. Actually, it was six?

Mr. VOLP. He came in. We were driving with four there, and then we picked up a fifth man.

Mr. CARR. That is all.

Mr. SCHINE. State your name for the record.

STATEMENT OF WILLIAM PATRICK LONNIE

Mr. LONNIE. William Patrick Lonnie. L-o-n-n-i-e.

Mr. SCHINE. And your present occupation, Mr. Lonnie?

Mr. LONNIE. Electrical engineer, or electronic engineer.

Mr. COHN. I notice in the City College yearbook, it was spelled L-o-o-n-i-e.

Mr. LONNIE. I officially changed it. It was Loonie. And you can see why, I guess; we changed it when the first baby came along, as a matter of fact.

Mr. COHN. Now, Mr. Lonnie, what are your duties?

Mr. LONNIE. Right now, I am engaged in directing some search and development work down at Evans Signal Laboratory, in the physics branch.

Mr. SCHINE. I understand you were in the Marine Corps.

Mr. LONNIE. That is right.

Mr. SCHINE. For how long?

Mr. LONNIE. About three years, I think it was a little less; from October of 1943 to May of 1946.

Mr. SCHINE. You were a commissioned officer?

Mr. LONNIE. That is right.

Mr. SCHINE. Where did you attend college, Mr. Lonnie?

Mr. LONNIE. At City College, in New York.

Mr. SCHINE. Do you know any of the individuals at Fort Monmouth who were at City College at the same time you were?

Mr. LONNIE. Yes.

Mr. SCHINE. Will you give their names, please?

Mr. LONNIE. As well as I can remember—this would be not only my class but others—Henry Burkhart, Samuel Levine, and Aaron Coleman.

Mr. CARR. Mr. Volp?

Mr. LONNIE. He wasn't in my class, and I don't remember him.

Mr. CARR. Mr. Hecker?

Mr. LONNIE. He might have been ahead of me, and I didn't remember him, either.

Mr. CARR. Mr. Rabinowitz?

Mr. LONNIE. No, sir, I don't remember him, either.

Mr. COHN. Did you know Julius Rosenberg?

Mr. LONNIE. He was in the class, but I never knew him at work.

Mr. COHN. Did you just find out he was in the class recently?

Mr. LONNIE. No. He was in some of the classes I attended.

Mr. COHN. Did you know him personally?

Mr. LONNIE. Well, he was just as another classmate.

Mr. COHN. Did you have any social contact with him?

Mr. LONNIE. No.

Mr. COHN. Did you see him at all after you left college?

Mr. LONNIE. I never saw him after that.

Mr. COHN. Did you participate in any activities with him at college?

Mr. LONNIE. No.

Mr. COHN. You just knew him as a classmate, a guy you saw in classes?

Mr. LONNIE. That's right.

Mr. COHN. Who among the Monmouth crowd was he friendly with at City College?

Mr. LONNIE. I really don't remember enough about him to say who he was familiar with, unfortunately.

Mr. COHN. How about Coleman?

Mr. LONNIE. Well, Coleman was in the class ahead of me, and I wasn't too familiar with those fellows, actually.

Mr. COHN. Did you associate with Coleman and Rosenberg?

Mr. LONNIE. Not particularly.

Mr. COHN. Did you associate with them at all?

Mr. LONNIE. No, I don't think so. I never noticed any association between the two of them.

Mr. COHN. Do you recall having seen them together?

Mr. LONNIE. No, I don't recall it. I might have, but I don't remember it now.

Mr. COHN. How about Morton Sobell. Do you remember him?

Mr. LONNIE. I remember him faintly. He was also in the class ahead of me.

Mr. COHN. Do you associate Sobell and Coleman together?

Mr. LONNIE. Well, the only association I had on that was work one time. I remember we had a contract with an outfit, I think it was Reeves Instrument in New York, and I believe Mr. Sobell was down visiting the laboratories with reference to the contract with a group of other people, and I think Mr. Coleman was in at that conference. That is about the main association.

Mr. CARR. Do you know that he stayed at Mr. Coleman's house?

Mr. LONNIE. No.

Mr. CARR. During that visit?

Mr. LONNIE. No.

Mr. COHN. Have you learned that since?

Mr. LONNIE. I just learned it right now, and I didn't know it before.

Mr. CARR. At the college, were you a member of any student organization?

Mr. LONNIE. Well, I belonged to the Newman Club. That is something I might have belonged to, and no other organizations.

Mr. CARR. You didn't belong to the Young Communist League?

Mr. LONNIE. No, sir.

Mr. COHN. Did you ever belong to any subversive organization?

Mr. LONNIE. No. I attended Catholic grammar and high school.

Mr. SCHINE. Is there anyone else at Fort Monmouth that you associate with Rosenberg and Sobell?

Mr. LONNIE. Well, no, I wouldn't say there was anybody at Fort Monmouth, and I don't remember anybody there. There were fellows there in the class. There was one other fellow who was in the class, and I have forgotten—Murray Distell, D-i-s-t-e-l-l.

Mr. SCHINE. He was in the class with Rosenberg and Sobell?

Mr. LONNIE. He was in the school about that time, yes, sir.

Mr. SCHINE. And he is now at Fort Monmouth?

Mr. LONNIE. Yes, he is at Fort Monmouth.

Mr. SCHINE. What does he do there?

Mr. LONNIE. He is an electronic engineer, also.

Mr. SCHINE. Did you ever see him in recent years with either Rosenberg or Sobell?

Mr. LONNIE. No.

Mr. COHN. Did you associate him in college with Rosenberg and Sobell?

Mr. LONNIE. No, sir, I didn't. I wouldn't say that I knew them. I wouldn't say that I would.

Mr. SCHINE. Did Coleman ever talk about Sobell?

Mr. LONNIE. No, not that I remember. As a matter of fact, I only happened to have glanced into that room where this particular conference was going on, and most of the work, by that time I was a little bit removed from the central office, and I didn't have too much contact.

Mr. SCHINE. What was this conference, and when was it held, approximately?

Mr. LONNIE. I wasn't at the conference, so I could only guess, and the subject was, I think, some equipment that Reeves was going to build for the laboratories, and when it was held I don't remember.

Mr. SCHINE. Approximately.

Mr. LONNIE. Roughly, I would say it was about 1947. I am not sure about that.

Mr. SCHINE. Were there others that represented Fort Monmouth in the group besides Coleman?

Mr. LONNIE. Yes, there were quite a few representatives there; but now, who they were, I don't remember distinctly. There were quite a few people from the section there.

Mr. SCHINE. Were there others from Reeves besides Sobell?

Mr. LONNIE. Yes, sir, there were others from Reeves down there, yes. I don't know who they were. I would say, just a very rough guess, there were probably three or four people from Reeves, and approximately the same number of people from the laboratories.

Mr. SCHINE. And you never discussed with Coleman the fact that he knew Sobell?

Mr. LONNIE. No. I didn't know Coleman very well. I worked for him, but I didn't know him very well.

Mr. SCHINE. And you can't think of anyone else that was in Sobell's or Rosenberg's class at City College who is now at Monmouth?

Mr. LONNIE. Not right now.

Mr. SCHINE. Do you associate anyone with Rosenberg and Sobell while they were at college that is not at Fort Monmouth now, but was very friendly with them at that time?

Mr. LONNIE. No, I am sorry. I didn't travel with that group at all.

Mr. SCHINE. Can you think of anybody who might have been friendly with them?

Mr. LONNIE. No, I can't.

Mr. SCHINE. Try and think carefully. I know by personal experience I can think back to college and I remember certain cliques of individuals.

Mr. LONNIE. That is what I am trying to remember.

Mr. SCHINE. And they probably studied together and listened to classical music together and went around together, together, and so on and so forth. Frankly, this could be of great help to us. You are the first really intelligent individual in this category of having been at City College and Fort Monmouth with a good memory. If we could find the names of individuals that were close to Rosenberg and Sobell, we might stumble on the names of people, who as the years went by, were doing the same type of work that Rosenberg and Sobell were doing.

Mr. LONNIE. I would certainly like to help you if I could.

Mr. SCHINE. Why don't you think about it, and try and supply the names to us as they might come to your mind, and we will be here for the next few days.

Mr. LONNIE. All right, I surely will.

Mr. SCHINE. And will you call any one of the staff?

Mr. LONNIE. Shall I call up here?

Mr. SCHINE. Surely.

Mr. LONNIE. Okay, surely, I will try to think of it. Right offhand, of course this was a long time ago, and I am sorry my memory isn't too good on that.

Mr. SCHINE. Do you remember the Rosenberg-Sobell activities at City College? They were probably very vehement in their views.

Mr. LONNIE. Well, not particularly well. You see, most of the fellows, or at least I always thought before this other stuff came out, that most of the fellows who went to the School of Technology didn't seem to be interested in political problems as seemed to be the common acts around the school. For that reason, I guess if they did anything, they would probably have joined others who were over—you see, it was a separate school, the School of Technology was separated physically from the main school, and I think most of this stuff that I ever heard about went on more in the main building rather than in the School of Technology, so I wouldn't have been exposed to much of any activities round there. For instance, I don't know who they were, but it was not uncommon for somebody to be passing out leaflets of these various subversive organizations, YCL, and they could have done that, but I wouldn't

have seen them because they didn't do that too much around the school. They did it more in other places, probably because there were more people there, I don't know.

Mr. SCHINE. Can you recall the names of any professors that you had at that time, who might have expressed pro-Communist views?

Mr. LONNIE. Well, there really weren't any in the School of Technology at all. The rest of them, the subjects were either mathematics or something like that, and so they wouldn't have too much occasion to express views.

Mr. SCHINE. Can you recall the names of any people on faculty who might have been responsible for the indoctrination of Rosenberg and Sobell?

Mr. LONNIE. No, I can't, I am sorry to say. In places where they might have been subject to that sort of propaganda would be more in the liberal arts, and in the engineering you have a cut-and-dried course, and I don't remember being in any classes with them where there might have been that.

Mr. SCHINE. Do you remember who taught history I?

Mr. LONNIE. There were probably a lot of different teachers in the history department.

Mr. SCHINE. How about public speaking? Did you take public speaking?

Mr. LONNIE. Yes.

Mr. SCHINE. Who taught public speaking?

Mr. LONNIE. There were quite a group there, too. Now, who taught them, I wouldn't be sure, and I know one of the teachers I had had an Irish name, and I think or I believe he may be the same one that has been promoted to a higher position up there.

Mr. SCHINE. Were Rosenberg and Sobell in your public speaking class?

Mr. LONNIE. I don't remember them.

Mr. SCHINE. You don't recall them getting up on their feet and making speeches?

Mr. LONNIE. No. As a matter of fact, I don't remember anyone giving any communistic talks in the public speaking classes.

Mr. SCHINE. I have no more questions.

Mr. CARR. How do you spell your last name, L-o-n-n-i-e?

Mr. LONNIE. Yes.

Mr. CARR. Mr. Lonnie, if you can recall anything that would be of assistance to us, we would appreciate your letting us know.

Mr. LONNIE. I will try to do that.

Mr. CARR. Have you been contacted by the FBI to furnish them any information concerning this?

Mr. LONNIE. Some time ago, around the time of the trial, they asked me some questions.

Mr. CARR. All right, fine. Thank you very much. And you furnished them with everything that you could?

Mr. LONNIE. Everything that I knew at that time, yes, sir.

Mr. CARR. Thank you very much.

Mr. SCHINE. Will you kindly state your name for the record?

STATEMENT OF HENRY F. BURKHARD

Mr. BURKHARD. Henry F. Burkhard, B-u-r-k-h-a-r-d.

Mr. SCHINE. And your occupation?

Mr. BURKHARD. Electrical engineer.

Mr. SCHINE. And you are working at Fort Monmouth?

Mr. BURKHARD. Yes, sir.

Mr. SCHINE. What is your position?

Mr. BURKHARD. I am a facsimile design engineer.

Mr. SCHINE. How long have you been doing this work?

Mr. BURKHARD. Well, since 1940.

Mr. SCHINE. Where did you get your training?

Mr. BURKHARD. In City College in New York. I have had post-graduate training also, and I had one course in Brooklyn Polytechnic, and one course in Stevens Institute, and a course in Newark College of Engineering, and Rutgers.

Mr. SCHINE. While you were at City College, did you know Julius Rosenberg, or Sobell?

Mr. BURKHARD. I can't say I did.

Mr. SCHINE. Did you ever know them after that time?

Mr. BURKHARD. No, sir. They might have been in some of my classes, but I don't know.

Mr. SCHINE. You never saw them or knew them after you left City College?

Mr. BURKHARD. No, sir.

Mr. SCHINE. Do you know anybody at Fort Monmouth who was in City College either at the time you were there, or around the time you were there?

Mr. BURKHARD. There are some members around, and I believe the previous man who was here.

Mr. SCHINE. Will you give the names of the people?

Mr. BURKHARD. I think it is William Lonnie who was here, and that is about all I can think of right in the laboratories.

Mr. SCHINE. Do you know anyone else who was at City College around the time you were there who is connected with any laboratory, or scientific development that has some relation to Fort Monmouth?

Mr. BURKHARD. Well, there was a Ben Bernstein who became an inspector for the government, but he didn't have much direct contact with the laboratories, just a government worker, and I saw him once or twice after he had gotten out of school. When they visited the laboratories, it was, but that is about all.

Mr. SCHINE. What did he do in his function as an inspector for the government?

Mr. BURKHARD. As I understood it, he would go to a factory, or a plant, and see whether the equipment that they delivered met the requirements of the specifications.

Mr. SCHINE. Is that B-e-r-n-s-t-e-i-n?

Mr. BURKHARD. Yes, I believe it is. I walked home from school once or twice, or a little more than that, I guess, but it was just a casual friend who happened to be going the same way, and we would walk there.

Mr. SCHINE. Did you ever belong to any organization while you were in City College?

Mr. BURKHARD. The YMCA.

Mr. SCHINE. That is the only organization?

Mr. BURKHARD. That was the only one.

Mr. SCHINE. Have you belonged to any organization since that time?

Mr. BURKHARD. Institute of Radio Engineers, and I am still a member of that.

Mr. SCHINE. Is there any information you would care to give the committee concerning security regulations at Fort Monmouth?

Mr. BURKHARD. I don't know what to offer there. We have a set of regulations that we are supposed to adhere to quite rigorously, known as 380-5, and the amendment thereto. That defines pretty well how we are supposed to handle classified material. It is how we are supposed to file it and take care of it, and so forth. We always try to adhere to the regulations on that.

Mr. SCHINE. Do you know Mr. Ducore?

Mr. BURKHARD. I didn't know him until about August when I happened to be out on travel orders, and I was introduced to him.

Mr. SCHINE. Do you know him well now?

Mr. BURKHARD. No, I don't. I met him very casually, at this one location, and I was introduced, and it was a whole group of some ten or fifteen people, and we all went out to dinner.

Mr. SCHINE. Who was in that group?

Mr. BURKHARD. It was a Mr. Hamsher—

Mr. SCHINE. Spell that name.

Mr. BURKHARD. H-a-m-s-h-e-r.

Mr. SCHINE. Do you know the first name?

Mr. BURKHARD. Donald.

Mr. SCHINE. Donald Hamsher.

Mr. BURKHARD. Yes. He was the coordinator of the activities at this location.

Mr. SCHINE. At which location?

Mr. BURKHARD. It was at Michigan State University, Ann Arbor, Michigan. It was about in August. He was more or less the man who was a go-between between the university personnel and the laboratory personnel. The laboratory personnel were there to supply information to the university people.

Mr. SCHINE. Who else was in that group that went to dinner?

Mr. BURKHARD. Mr. John Rice, who works in the laboratory on television. There was a man from Evans, and I believe his name was Charlie Moore, but I am not too sure.

Mr. SCHINE. What was his job at Evans?

Mr. BURKHARD. As I understood it, it was radio direction finding.

Mr. SCHINE. Was he a close friend of Ducore's?

Mr. BURKHARD. I don't think so, but of course I couldn't tell. I don't know whether they arrived together, or around the same time.

Mr. SCHINE. When did you make this visit?

Mr. BURKHARD. In August, and I can't remember the exact date.

Mr. SCHINE. Of this year?

Mr. BURKHARD. Of this year, yes, sir.

Mr. SCHINE. You went to Michigan?

Mr. BURKHARD. Yes, sir.

Mr. SCHINE. And what was the purpose of the visit there?

Mr. BURKHARD. Michigan State University had a contract which was of rather wide scope, and I don't think that I am free to define it too clearly because of its nature.

Mr. SCHINE. If it is top secret——

Mr. BURKHARD. I don't know any top secret information, but this was confidential. I am sure that you could readily find out about this project from either the chief's office in Washington, or Fort Monmouth.

Mr. SCHINE. And you and Ducore and this other gentleman went from Monmouth to Michigan in August to discuss with the people in Michigan this contract, and the progress of their work?

Mr. BURKHARD. No. Primarily we were there to provide whatever information we had in our own fields. That is why this thing was more of an individual type of thing. There were a lot of little conferences going on, and if one concerned facsimile, I would get in on that one; and if one concerned radio direction finding, I would have nothing to do with it.

Mr. SCHINE. Did you talk much with Ducore?

Mr. BURKHARD. Very little.

Mr. SCHINE. Was he in contact with anyone outside of Michigan during his stay there, and did he talk on the telephone?

Mr. BURKHARD. Not that I know of. I hardly saw the man.

Mr. SCHINE. Did he get much mail?

Mr. BURKHARD. I don't know if he got any.

Mr. SCHINE. Where was he staying?

Mr. BURKHARD. Right on the campus. All of us were only there a few days.

Mr. SCHINE. Where on the campus did he stay?

Mr. BURKHARD. There was a building in the law quadrangle set aside more or less for the visitors.

Mr. SCHINE. And he had his own room?

Mr. BURKHARD. He had his own room there.

Mr. SCHINE. He didn't stay with any faculty member or anything of that sort?

Mr. BURKHARD. No, sir, I am quite sure not. Of course, I didn't see much of him, and I went to my room; and during the daytime we would hardly see anything of any of the other personnel in the groups.

Mr. SCHINE. Have you heard recently that he is under investigation?

Mr. BURKHARD. I read it in the papers.

Mr. SCHINE. Have you talked to him about it?

Mr. BURKHARD. I don't know him that well.

Mr. SCHINE. Did you hear why he was under investigation?

Mr. BURKHARD. No, outside of what was in the papers.

Mr. SCHINE. Do you know Mr. Coleman?

Mr. BURKHARD. I can't say that I do. If he went to school around the same time I did, he might have been in some of my classes, but I don't know him.

Mr. SCHINE. You never talked to him or you never had any contact with him?

Mr. BURKHARD. No, sir.

Mr. SCHINE. Did you ever make any other field trips with Ducore?

Mr. BURKHARD. No, sir, and I wouldn't say that I made that with him. We arrived at different times, and we didn't have any associa-

tion together other than everybody in the laboratories who was out there was out there to give his own piece of information.

Mr. SCHINE. Getting back to this meeting in Michigan, do you recall seeing Ducore with anybody on the campus or out for dinner, other than those that you have already mentioned?

Mr. BURKHARD. No, I can't say that I do. I didn't have much contact with him.

Mr. SCHINE. How do you go home from work? By car?

Mr. BURKHARD. I drive my car.

Mr. SCHINE. You drive alone?

Mr. BURKHARD. Yes, sir, I do.

Mr. SCHINE. You have never ridden home with Ducore or Coleman?

Mr. BURKHARD. I don't know them that well.

Mr. SCHINE. Do you know Mr. Coleman?

Mr. BURKHARD. I don't know Mr. Coleman. If I met those fellows on the street, I wouldn't even know enough to say hello.

Mr. SCHINE. All right, Mr. Burkhard. If you can think of the names of any of the individuals that you haven't been able to recall right now, will you kindly supply them to us?

Mr. BURKHARD. You mean personnel who might have been out on that Michigan trip?

Mr. SCHINE. Yes, or any people that are at Fort Monmouth now that you recall were at City College when you were there, or any subversive activities or front organizations.

Mr. BURKHARD. I don't get near those things.

Mr. SCHINE. Thank you very much. I don't think that we will need to talk to you anymore today. Thank you very much.

Mr. SCHINE. Give your full name for the record, please.

STATEMENT OF MARCEL Ullmann

Mr. ULLMANN. My name is Marcel Ullmann, M-a-r-c-e-l U-l-l-m-a-n-n.

Mr. SCHINE. Will you give us your occupation, Mr. Ullmann, please?

Mr. ULLMANN. I am a television technician.

Mr. SCHINE. Where are you employed?

Mr. ULLMANN. I am employed at Bamberger & Company in Newark.

Mr. SCHINE. I am sorry, I can't quite hear.

Mr. ULLMANN. B-a-m-b-e-r-g-e-r & Company.

Mr. SCHINE. What is this company?

Mr. ULLMANN. A department store.

Mr. SCHINE. A department store?

Mr. ULLMANN. Yes, sir.

Mr. SCHINE. Located where?

Mr. ULLMANN. Newark, New Jersey.

Mr. SCHINE. And how long have you been there?

Mr. ULLMANN. Some two years.

Mr. SCHINE. And your job there is what, sir?

Mr. ULLMANN. I am a television technician.

Mr. SCHINE. And as such, what do you do?

Mr. ULLMANN. I repair and service television and radio sets sold by said company.

Mr. SCHINE. Have you ever worked for the government?

Mr. ULLMANN. I have.

Mr. SCHINE. Where and when?

Mr. ULLMANN. I worked at Fort Monmouth, and I believe it was December 1, in 1941.

Mr. SCHINE. You worked in 1941 and 1942?

Mr. ULLMANN. Oh, no. I am trying to get the date straight. When did Pearl Harbor occur?

Mr. SCHINE. December 7, 1941.

Mr. ULLMANN. Well, then I worked there December of 1941.

Mr. SCHINE. You worked in 1941 and 1942?

Mr. ULLMANN. From 1941 through, I believe, 1948.

Mr. SCHINE. What were your duties at Fort Monmouth, Mr. Ullmann?

Mr. ULLMANN. Well, they progressed. Initially I maintained and installed radio communication equipment at the post at Fort Monmouth, that is at the post rather than at the laboratories. Those duties continued for roughly two years, after which I transferred to Camp Evans Signal Laboratories where I wrote and unwrote specifications, and that, too, was about two years.

Mr. SCHINE. These specifications were classified, were they not?

Mr. ULLMANN. Generally, yes.

Mr. SCHINE. You were cleared for classified work?

Mr. ULLMANN. Yes, sir.

Mr. SCHINE. Ranging all of the way to top secret?

Mr. ULLMANN. Well, I imagine I was, though as far as I know I have worked up to secret, and I don't think that the specifications covered top secret at that time.

Mr. SCHINE. When you wrote specifications, what does that mean?

Mr. ULLMANN. Well, it meant assimilating and sorting data from the, shall we say, project engineer on the job, with the manufacturers or bidders concerned, and the specification covered the type of equipment and the various conditions.

Mr. SCHINE. How long did you do this?

Mr. ULLMANN. I say roughly two years.

Mr. SCHINE. Until 1945?

Mr. ULLMANN. I think so.

Mr. SCHINE. What were your duties?

Mr. ULLMANN. Then I believe at that time, or around that time, the air force took over one of the laboratories known as Watson Laboratories, and I was transferred in bulk, with a large number of employees, was transferred from the Signal Corps to the air force command, I will put it that way, and we were stationed at Camp Watson Laboratories.

Mr. SCHINE. What were your duties there?

Mr. ULLMANN. Initially, I was assigned to evaluation and rehabilitation of captured enemy equipment, radar equipment, and that continued for, I should say, possibly two years.

Mr. SCHINE. What were your other duties?

Mr. ULLMANN. I say after that—

Mr. SCHINE. You say essentially you took charge of enemy equipment and evaluated it, and what other duties did you have at that time?

Mr. ULLMANN. Well, those were the only duties, and as I say, there were ramifications, and a variety of work involved, but it was basically that. You analyzed and you rebuilt, and you would try to write up reports as to the type of equipment and the serviceability, and compare the American equipment, and so forth.

Mr. SCHINE. Then from 1947, what were your duties and where did you work?

Mr. ULLMANN. Well, I was assigned to a different branch. I think they called it—let me see if I can remember—the Performance Evaluation Branch, design approval, at Watson, and I was assigned as, I believe, assistant associate project engineer on one or two radar development test programs.

Mr. SCHINE. You were an engineer involved in research and development work, and you supervised some of the projects?

Mr. ULLMANN. Well, that is right, I supervised tests and evaluation of equipment.

Mr. SCHINE. This was all classified work?

Mr. ULLMANN. Oh, yes.

Mr. SCHINE. And you did this work until the time you left Fort Monmouth?

Mr. ULLMANN. I did.

Mr. SCHINE. What was the reason for your departure from Fort Monmouth?

Mr. ULLMANN. I was suspended.

Mr. SCHINE. For what reason?

Mr. ULLMANN. Well, the notice stated, and again I can't quote since I haven't the papers, but I was charged with being sympathetic to the Communist movement, and possibly having attended Communist meetings.

Mr. SCHINE. Any other charges made against you?

Mr. ULLMANN. That is the charge, as far as I know.

Mr. SCHINE. And you went from Fort Monmouth to the Bamberger Company?

Mr. ULLMANN. No, not directly. I believe I worked for a television service company, I think it was called the Crown Television—Metropolitan—I think it was the Metropolitan Television Service Company, or something like that. I worked there at the bench, and from there I went to Bambergers, I believe.

Mr. SCHINE. Let me see. Where did you get your education, Mr. Ullmann?

Mr. ULLMANN. Well, let me see. I was born in Brooklyn.

Mr. SCHINE. What was the year?

Mr. ULLMANN. July 5, 1905.

Mr. SCHINE. Where did you attend college?

Mr. ULLMANN. I went to public school in Brooklyn, and I think it was PS-122, Williamsburg, and I went there until graduation, which I think was in 1918; and then I went to high school, Brooklyn Technical High School, from 1919 to 1923; that is what it was. And then I attended classes, evening classes, at City College for about three years. The first year or two years, again, I attended classes at Dubois High School Building in Brooklyn, and I had to make up a condition of German; and after that I took science courses, and I went to the main City College Building, 135th Street, for possibly a year or two years. I didn't graduate.

Mr. SCHINE. You finished your schooling in City College what year?

Mr. ULLMANN. I say roughly 1927.

Mr. SCHINE. What did you do when you left college?

Mr. ULLMANN. Well, I was employed all of that time, this was evening classes at college, and—

Mr. SCHINE. Where were you employed during that time?

Mr. ULLMANN. I was a radioman; that is, right after high school I worked at Bell Laboratories.

Mr. SCHINE. At Bell Laboratories?

Mr. ULLMANN. Bell Telephone Laboratories, and I was in specifications there; and then I worked at a radio manufacturing company known as the Wiz Manufacturing Company, and I worked there for possibly three years or more. I believe they failed then, and then I think I worked for a number of radio outfits, Walthals, and probably worked for DeVegas, and basically I was with furniture outfits, and I worked for John Mullins & Company. And this was during the depression years, where there was quite a bit of turnover.

From there I went in to R. H. Macy & Company, and from Macy's I went to Michaels Brothers in Brooklyn, a furniture outfit, and I was there up to the time I took the Government position.

Mr. SCHINE. During all of this time, you did radio and television work?

Mr. ULLMANN. Television was very recent, and it was only the past year or two, prior to going into the service.

Mr. SCHINE. When you were in City College, you knew Julius Rosenberg?

Mr. ULLMANN. I did not, as far as I know; first of all, this I can state: that when I went to City College in Brooklyn, in academic subjects, relatively simple, and at the time I went to New York there was a science course, generally Tuesday and Thursday nights, and the courses were from a quarter to seven to a quarter to eleven, and I used to have to step on it, being I was out in the field, and many times I was late, and in fact, I believe that is the reason I finally dropped school.

I was told by the dean that either I had to be punctual and very less frequent absences, or I would have to drop it, and I had a relatively good job, and I made a salary decision.

But the thing, I was on the move all of the time, and after I got out of school at a quarter of eleven, I would have the trip to Brooklyn, and I made no acquaintances, and I knew of no one, to the best of my knowledge.

Mr. SCHINE. But you knew Julius Rosenberg?

Mr. ULLMANN. I did not.

Mr. SCHINE. You knew Morton Sobell?

Mr. ULLMANN. To the best of my knowledge, I have never met the individual, and I have never spoken to him; until the things broke in the papers, and to the best of my knowledge, I never met him or knew him or heard of him.

Mr. SCHINE. Did you meet Julius Rosenberg after you left City College?

Mr. ULLMANN. To the best of my knowledge, I have never met Julius Rosenberg.

Mr. SCHINE. Would you give us the names of the organizations you joined, telling us when you joined them?

Mr. ULLMANN. Well, now we come to a province wherein I shall have to consider very carefully. You see, it is my belief that my discharge or suspension, or what have you, resulted from my association with a non-political organization, and I don't know to what extent anything I may say at this time may involve me in spheres of which I have no comprehension right now, and so I am afraid that I shall have to avail myself of the Fifth Amendment.

Mr. SCHINE. I asked him to give us the names of some of the organizations that he belonged to, and the dates, and he availed himself of the Fifth Amendment.

Mr. ULLMANN. I really have no idea where I may inadvertently involve myself.

Mr. SCHINE. You are excused now, and will you please return at 2:30.

Will you state your name for the record, please?

STATEMENT OF HERBERT F. HECKER

Mr. HECKER. Herbert F. Hecker, H-e-c-k-e-r.

Mr. SCHINE. And your occupation, sir?

Mr. HECKER. Electronic engineer.

Mr. SCHINE. Where are you employed?

Mr. HECKER. I am chief of the Test Equipment Section at the Cole Signal Laboratory.

Mr. SCHINE. And how long have you been working there?

Mr. HECKER. At the Cole Signal Laboratory, I have been there for almost four years and I have been at the laboratory as a whole for almost fifteen years.

Mr. SCHINE. For fifteen years you have been employed at Fort Monmouth?

Mr. HECKER. That is right.

Mr. SCHINE. And what did you say your occupation was?

Mr. HECKER. Electronic engineer. You mean my position, chief of the Test Equipment Section.

Mr. SCHINE. What do you do in that capacity?

Mr. HECKER. Well, I supervise a group of engineers who are responsible for development of test equipment, for use by the armed forces, in connection with radio communications and equipment.

Mr. SCHINE. This is all classified work?

Mr. HECKER. Well, as it turns out, none of the projects for which I am responsible is classified in nature.

Mr. SCHINE. Have you done classified work at Fort Monmouth?

Mr. HECKER. Yes, I have been in contact with classified material.

Mr. SCHINE. You are cleared for classified work?

Mr. HECKER. That is right, up to secret.

Mr. SCHINE. And where did you get your training, Mr. Hecker?

Mr. HECKER. At City College.

Mr. SCHINE. And what were the years that you were a student at City College?

Mr. HECKER. In 1934 to 1938.

Mr. SCHINE. And where did you go when you left City College?

Mr. HECKER. I was unemployed most of the time until I got the appointment at Fort Monmouth, which was in February of 1939, and I graduated from City College in June of 1938.

Mr. SCHINE. Do you know some of the individuals who were at City College with you, are now at Fort Monmouth?

Mr. HECKER. Yes, sir.

Mr. SCHINE. Would you give us the names of as many as you can recall?

Mr. HECKER. Aaron Coleman, of course, and Maurice Distell is one.

Mr. SCHINE. Would you spell that, please?

Mr. HECKER. D-i-s-t-e-l-l. And Sam Pomerance, and I am trying to think primarily of classmates of mine. There are others that I know that attended City College, but I may not have been in classes with them. Are you interested in those?

Mr. SCHINE. Yes.

Mr. HECKER. I believe Jerome Corwin was one, and a couple of fellows I met up here today, Reish, and Henry Burkhard. Then there is a fellow by the name of John Bracken, with whom I worked at Coles, who was at City College, in a later class, I believe. There were probably others but I can't quite summon them up right now.

Mr. SCHINE. You have the best memory of anyone we have had so far.

Mr. HECKER. Thank you.

Mr. SCHINE. You can probably be of great help to us. Did you know Julius Rosenberg when you were at City College?

Mr. HECKER. Yes, I did.

Mr. SCHINE. And you knew Morton Sobell?

Mr. HECKER. That is right.

Mr. SCHINE. Will you try and think for a minute of your days in City College, and recall the names of individuals who were friendly with Julius Rosenberg and Sobell, and let us take Rosenberg first.

Mr. HECKER. I have been trying to do that over some period now, and I cannot recall of any particular associations, close associations between those individuals and any of the others. I have tried to, actually, and my own relationship with him was very casual, and I have no recollection at all of any other closer relationships than that with these people.

Mr. SCHINE. With either Rosenberg or Sobell?

Mr. HECKER. Yes.

Mr. SCHINE. Do you recall the names of any individuals working at Fort Monmouth who knew Rosenberg, or Sobell?

Mr. HECKER. Well, I assume that most of the people in the class, in my class, knew them.

Mr. SCHINE. They were well known individuals at City College, were they not?

Mr. HECKER. Well, it is hard to say, actually, and I don't know, Sobell was in our class, and he was in our graduating class, and I think that Rosenberg was in a later class, and I really don't know just how well along they were.

Mr. SCHINE. Do you recall seeing them at Fort Monmouth?

Mr. HECKER. No, I have read that Rosenberg was at Fort Monmouth for a while, but honestly I can't recall having seen him there.

Mr. SCHINE. Do you recall seeing Sobell as a representative of a certain company?

Mr. HECKER. I haven't seen Sobell since I graduated from school.

Mr. SCHINE. Did you know that he had come down to Fort Monmouth?

Mr. HECKER. No, I didn't know that.

Mr. SCHINE. How well do you know Mr. Coleman?

Mr. HECKER. I have lived with Mr. Coleman for close to three years when we first started our employment down there.

Mr. SCHINE. Would you give us those years?

Mr. HECKER. That was in March of 1939, to I would say about the end of 1941, and I am not too sure about that date.

Mr. SCHINE. You lived with Mr. Coleman for three years?

Mr. HECKER. Approximately.

Mr. SCHINE. From 1939 to 1941?

Mr. HECKER. Yes, sir.

Mr. SCHINE. Did anyone else live with you and Mr. Coleman?

Mr. HECKER. Yes, we shared an apartment, there were five of us, I believe.

Mr. SCHINE. Who were the other individuals?

Mr. HECKER. Charles Tepper, Charles Cambridge, Sidney Metzger, that is five.

Mr. SCHINE. Were Messrs. Tepper, Cambridge and Metzger working there?

Mr. HECKER. That is right.

Mr. SCHINE. What was the address?

Mr. HECKER. 677 Girard Avenue, In Long Branch.

Mr. SCHINE. Who obtained the apartment?

Mr. HECKER. There were a group of us, that had all started working there the same day, and as I recall either three or four of the others had located this apartment, and when I met them that day, they invited me to join them.

Mr. SCHINE. Now, will you try and recall the names of any of the individuals that did not live at this apartment with whom Coleman was particularly friendly?

Mr. HECKER. At that particular time it was pretty hard for me to say. We were more or less of a close-knit little group and we were satisfied with each other's company.

Mr. SCHINE. You spent a lot of time together?

Mr. HECKER. Yes, we did, and we didn't spend the weekends down there, generally.

Mr. SCHINE. What happened on weekends?

Mr. HECKER. We usually went home.

Mr. SCHINE. Where did Coleman go on weekends?

Mr. HECKER. I believe he lived in Brooklyn at the time, and I assume that that is where he went.

Mr. SCHINE. Did he often take trips to other places?

Mr. HECKER. Not that I know of, no, not over the weekends.

Mr. SCHINE. Incidentally, Mr. Coleman was interested in photography, wasn't he?

Mr. HECKER. I didn't know. He may have developed that hobby after our association.

Mr. SCHINE. Did Sobell ever visit your house?

Mr. HECKER. No.

Mr. SCHINE. When you lived together you rode home together, did you not, from work?

Mr. HECKER. For a time, we did. There was just one in the group that had a car.

Mr. SCHINE. Who was he?

Mr. HECKER. Charles Tepper was the one who had the car initially.

Mr. SCHINE. And you rode home together for a time?

Mr. HECKER. Yes, sir.

Mr. SCHINE. Do you recall who in the group had a briefcase?

Mr. HECKER. No, I don't.

Mr. SCHINE. Did Mr. Coleman frequently carry one with him?

Mr. HECKER. At that time, I don't know, I really have no recollection of that.

Mr. SCHINE. Did Mr. Coleman ever express any of his political views to you?

Mr. HECKER. I don't recall any specific discussions we had on politics. I am afraid not.

Mr. SCHINE. During this period, Russia was on the side of Germany?

Mr. HECKER. I guess that is right, yes.

Mr. SCHINE. Until the last years you lived together.

Mr. HECKER. That is right.

Mr. SCHINE. And did you ever talk about Russia with him or world affairs?

Mr. HECKER. I suppose we did, but my recollection is definitely nothing unusual or unfavorable, that is what I am trying to bring out, I can't recall any specific discussions I had.

Mr. SCHINE. When Russia started fighting with Germany, do you recall any degree of enthusiasm on Mr. Coleman's part about the change?

Mr. HECKER. No, I don't recall any change at all.

Mr. SCHINE. You know that Mr. Coleman has been under investigation?

Mr. HECKER. Yes, I do.

Mr. SCHINE. Did you ever discuss this with him?

Mr. HECKER. Well, as a matter of fact he came to see me yesterday, and he called and asked if he could come to see me, and I told him he could, and it was in connection with his asking me whether I would be willing to submit a statement for him, and possibly appear at his security hearing.

Mr. SCHINE. What did he discuss with you during your visit?

Mr. HECKER. He just briefly outlined what the gist of the charges had been against him.

Mr. SCHINE. Would you give us these charges?

Mr. HECKER. Well, it was primarily one of the associations with Rosenberg and Sobell, and two other individuals whom I don't know.

Mr. COHN. What were their names?

Mr. HECKER. One was Kitty, I believe.

Mr. SCHINE. Who was the other one?

Mr. HECKER. I believe it was Percoff—if I am not mistaken.

Mr. SCHINE. How do you spell that?

Mr. HECKER. It was P-e-r-c or k-o-f-f. I am not sure which.

Mr. SCHINE. What was the other charge?

Mr. HECKER. The other charge I believe had been attendance at Young Communist League meetings.

Mr. COHN. With Julius Rosenberg?

Mr. HECKER. He didn't mention that to me, it was just those charges, and some statement as to his having agreed with the Communist philosophy, or something of that effect.

Mr. COHN. Did he deny this?

Mr. HECKER. He told me that he had been at one YCL meeting and his reaction had been very unfavorable to it, and he had not any further association.

Mr. SCHINE. Up until this recent investigation, you never knew of his associations with Rosenberg and Sobell, did you?

Mr. HECKER. Only whatever casual association at school that I may have noticed, and I did not know of any other outside association, outside of school.

Mr. SCHINE. During the Rosenberg case, he didn't mention to you that he had seen them since college?

Mr. HECKER. I hadn't seen him, and as a matter of fact yesterday was the first time I have seen him in two or three years.

Mr. SCHINE. Would you give us the names of the organizations to which you have belonged?

Mr. HECKER. Well, I belong to the Zionist Organization America, for one thing, and I belong to the American Veterans Committee for a short period of time.

Mr. COHN. Did you resign from it, or what?

Mr. HECKER. Well, it was not a matter of resignation, there was a chapter down at the shore, and I joined and I attended one meeting and the chapter broke up, and so that was it.

Mr. COHN. Do you belong to the American Legion?

Mr. HECKER. No.

Mr. CARR. Why did this chapter break up?

Mr. HECKER. I don't know, I never found that out.

Mr. CARR. Wasn't there some question as to whether or not this committee was tainted with Communists or pro-Communists, and didn't that subject matter come up concerning this American Veterans Committee concerning the particular chapter which was being formed at the time?

Mr. HECKER. My own recollection was that the constitution of the national organization forbade membership of Communists in it, and I don't recall any specific discussion of it.

Mr. CARR. You went to only one meeting?

Mr. HECKER. Yes, that is right.

Mr. CARR. And that as far as you know was the only meeting that was ever held of this organization?

Mr. HECKER. Oh, no, I understood that the organization had been, the chapter had been operating for some time before that.

Mr. CARR. But after the meeting that you attended, it folded?

Mr. HECKER. That is right.

Mr. CARR. Do you know why that folded?

Mr. HECKER. As I say, no. I did hear rumors of talk about pressure being put on them as you say, for a taint of pink of the organization.

Mr. SCHINE. You were giving us the organizations and would you finish doing that? Give us all of them, if you will.

Mr. HECKER. I belonged to a fraternal and benevolent organization, and it is called the Princeley Club, and sort of a family affair. That is about all, I am not much of a joiner, naturally.

Mr. SCHINE. Had you attended some of these meetings that Mr. Coleman attended?

Mr. HECKER. No.

Mr. SCHINE. Did you ever attend any meetings of any subversive groups?

Mr. HECKER. No, sir; I haven't.

Mr. CARR. When you were in college, did you?

Mr. HECKER. No, sir; I was busy trying to learn how to be an engineer, and I didn't have time for anything else.

Mr. SCHINE. Did Coleman subscribe to the *Daily Worker* when you lived together?

Mr. HECKER. Oh, no, I never saw it there.

Mr. SCHINE. What newspaper did he read, do you remember?

Mr. HECKER. I really don't remember.

Mr. SCHINE. Have you noticed any change in Coleman since his problems have been investigated?

Mr. HECKER. Well, as I say, I have only seen him this once and I saw him yesterday, and I didn't notice any particular change except of course he is pretty disturbed about it, and concerned about it.

Mr. SCHINE. Do you know Mr. Ducore?

Mr. HECKER. Yes, I do.

Mr. SCHINE. Were you at City College with him?

Mr. HECKER. No, I don't recall him from school. I have met him socially a few occasions, since we have been out there.

Mr. SCHINE. You have met him socially recently?

Mr. HECKER. That is right.

Mr. SCHINE. Could you tell us the names of some of the close friends of Ducore?

Mr. HECKER. Well, I believe that Jerome Coleman is a close friend of his, and I am afraid I couldn't say anything, I don't know him well enough.

Mr. SCHINE. Is he friendly with Coleman?

Mr. HECKER. I guess they were. They lived at the same house.

Mr. SCHINE. By the way, have you given Mr. Coleman your reply as to whether you will testify in his behalf at the security hearing?

Mr. HECKER. Well, I told him I would, yes, sir.

Mr. SCHINE. You will testify he is a good security risk?

Mr. HECKER. Yes, sir.

Mr. SCHINE. You believe he is completely trustworthy to handle the highest secret projects?

Mr. HECKER. Yes, sir; I do.

Mr. SCHINE. You don't think he is involved with any subversive activities or has been?

Mr. HECKER. No. I believe if there were the slightest doubt of that, our association in the three years we lived together was pret-

ty close, and there is an old saying, you don't get to know anybody until you live with them, and I did live with him, and I am sure if there had been anything at all there, something might have leaked out, and a chance remark or anything like that.

Mr. SCHINE. And you don't recall a thing?

Mr. HECKER. I can honestly say I don't recall anything that would even suggest it even remotely.

Mr. SCHINE. Was he fairly open about everything, and told you stories about his life and his experiences?

Mr. HECKER. He wasn't secretive about anything, and he was no mystery, and he was a sort of blunt individual.

Mr. SCHINE. Didn't you think it was rather odd that he was so secretive about his attendance at these meetings with Rosenberg, and some of those things until recently?

Mr. HECKER. Well, possibly, but it may be that he just considered it a mistake he made while he was a rash youth and he would rather not discuss it.

Mr. SCHINE. What did he read when you knew him, what kind of books?

Mr. HECKER. That is one thing that I recall very definitely about him, he did practically no recreational reading at all, and he read technical books mainly, and studied quite assiduously.

Mr. SCHINE. And does not the fact that he didn't reveal to you until just recently after it came out in the papers certain things about his associations with Rosenberg and Sobell, doesn't this cast a little doubt on your complete confidence in him as a security risk?

Mr. HECKER. Well, as I mentioned before, all he did really reveal to me was his attendance at this one meeting.

Mr. COHN. What were the circumstances of his going to that meeting, did he tell you that?

Mr. HECKER. I don't recall any details. He mentioned it, he mentioned that he had gone to this one meeting.

Mr. COHN. Did he tell you that Julius Rosenberg had taken him to the meeting?

Mr. HECKER. I guess he did, now that you mention it. Yes, that is right, he mentioned that he had been hounded pretty much by Rosenberg to try to get him to it and Rosenberg put it in a manner, saying, "Well, keep an open mind and go yourself and see what you think of it," and he did.

Mr. SCHINE. If you were an open and blunt sort of individual, and he told you everything about his experiences, wouldn't he have told you this during the few years you lived together, even though in his opinion it had been a mistake?

Mr. HECKER. Well, it is hard for me to say.

Mr. SCHINE. If a man thought he made a mistake, but were open and blunt and a perfectly loyal individual, wouldn't he tell a close friend, "I went to this meeting, and I thought it was a sham," particularly since Rosenberg and Sobell were tried and Rosenberg was executed? Wouldn't it be of interest to you as a close friend?

Mr. HECKER. Oh, yes, but as I mentioned before, my close contact with Coleman ended about the time, or about the end of 1941, and that was around the time when he had transferred down to Evans Laboratory, and he moved down there further south there to be closer to the lab.

Mr. SCHINE. You haven't seen him much since then?

Mr. HECKER. I have seen him sporadically, and I saw him—well, we threw a farewell party for him when he went into the marines.

Mr. SCHINE. Who was at that meeting?

Mr. HECKER. The ones I can recall definitely are the fellows at the house at the time, and I honestly can't recall who else might have been there.

Mr. SCHINE. And who is "we," who is the other individual you say, you said "we have seen him sporadically."

Mr. HECKER. I must have been using the editorial "we."

Mr. SCHINE. You threw a party for him?

Mr. HECKER. When I say "we," I speak of the fellows in the house, since he had been living with us.

Mr. SCHINE. Then you really haven't known him so well since 1941?

Mr. HECKER. That is right. I have been out of close contact with him since that time.

Mr. SCHINE. Then would you testify that he is a safe security risk even though you haven't been close to him for the last eleven years?

Mr. HECKER. All he asked me to do is to testify as to what I have known about him during that period, during which I knew him, and he has not asked me to go any further than that.

Mr. SCHINE. Do you think it is possible that if he were friendly to Rosenberg and Sobell after 1941, that he might possibly have decided that their thinking was the best thinking?

Mr. HECKER. If he were friendly with them after 1941, there is a possibility of that, although, well, I feel I got to know him well enough at the time to gain a pretty good insight to his character, and my personal opinion is that people don't change that radically, even over a period of ten years. Of course, that is just my personal opinion.

Mr. SCHINE. What are the circumstances under which you have seen him since 1941, in addition to this party that you mentioned?

Mr. HECKER. I have run into him maybe once or twice at Coles Laboratory, he apparently was working on a project before his clearance was removed, which involved contact with some of the people at Coles Laboratory. I just ran into him and spoke to him briefly and that was all.

Mr. SCHINE. You have never seen him socially?

Mr. HECKER. There was one occasion, I believe, when I visited the Teppers, and I believe he was there with his wife and that was the only occasion I had seen him socially. That was probably five years ago.

Mr. SCHINE. Has he kept up his social acquaintance with Mr. Tepper?

Mr. HECKER. I don't know.

Mr. SCHINE. What about Mr. Cambridge?

Mr. HECKER. I don't know that either. Mr. Cambridge is no longer in the area, he is working somewhere else.

Mr. SCHINE. Is he still working for the government?

Mr. HECKER. I believe he is, yes, sir.

Mr. SCHINE. What about Mr. Metzger, has he kept up his social acquaintance with him?

Mr. HECKER. I doubt if he is still with the government. I don't know it, and I don't know for certain.

Mr. SCHINE. Were you in the history or government class with Sobell or Rosenberg?

Mr. HECKER. I don't recall whether I was.

Mr. SCHINE. Did you take public speaking with him?

Mr. HECKER. I don't know that either. I assume that I was in classes with him, but which ones they were I don't know.

Mr. SCHINE. Can you recall the names of the professors that might have been responsible for their indoctrination into the Communist party?

Mr. HECKER. No, sir; I don't know.

Mr. SCHINE. Did you see Rosenberg socially very much during those years?

Mr. HECKER. No, my contact was just seeing him at school, that was all.

Mr. SCHINE. And had you eaten lunch together?

Mr. HECKER. Possibly there were occasions.

Mr. SCHINE. Do you recall the names of the individuals who were with you when you ate lunch with him?

Mr. HECKER. That is hard to say.

Mr. SCHINE. You must have thought about it.

Mr. HECKER. Well, as I say, I am not even sure that I did eat lunch with him, and I assume I probably did.

Mr. SCHINE. With Mr. Sobell?

Mr. HECKER. Primarily, because he was in the same class I was in.

Mr. SCHINE. Have you been able to recall some of the names of the people that were particularly friendly with Sobell?

Mr. HECKER. No, again I will have to say "no" to that.

Mr. SCHINE. When you ate lunch together, who was with you?

Mr. HECKER. It could have been practically anybody in the class, actually, and I really don't recall anything like that. As I say, I have ever since this thing broke, this has been a thorn in my side, of course, having been a member the same class and I have been trying to recall things about it.

Mr. SCHINE. When were you first approached by the Communist party?

Mr. HECKER. When was I first approached by the Communist party?

Mr. SCHINE. Yes.

Mr. HECKER. I have never been approached by the Communist party.

Mr. SCHINE. They never approached you, and asked you to participate in their activities?

Mr. HECKER. No.

Mr. COHN. Weren't you ever asked to go to the Young Communist League meetings in City College?

Mr. HECKER. Not that I recall.

Mr. CARR. What is your home address?

Mr. HECKER. It is 273 Michael Avenue, and the telephone number is Deal 1469W.

Mr. COHN. We will let you know if we want you back.

[Whereupon a recess was taken at one o'clock, p.m., to convene again at 2:30 p.m., the same day.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Marcel Ullmann (1905–1992) testified publicly on December 10, 1953. None of the other witnesses on October 12, Morris Keiser (1896–1968), Seymour Rabinowitz, Rudolph C. Riehs, or Carl Greenblum (1916–1997), testified in public session. Greenblum, however, returned to executive session on October 16, 1953.]

MONDAY, OCTOBER 12, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 2:30 p.m., pursuant to recess, in room 1402 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ULLMANN. Yes, sir, I do.

TESTIMONY OF MARCEL Ullmann

Mr. COHN. Mr. Ullmann, will you give us your full name? You gave us that this morning. Give it to us again.

Mr. ULLMANN. Marcel Ullmann.

Mr. COHN. Will you spell your last name?

Mr. ULLMANN. U-l-l-m-a-n-n.

Mr. COHN. You know you are entitled to counsel if you care to have counsel.

Mr. ULLMANN. Well, let us proceed, and if I feel that I might have one, I will tell you.

Mr. COHN. Now, Mr. Ullmann, where do you work right now?

Mr. ULLMANN. I work for L. Bamberger & Company, a department store in Newark, and I do television repair work.

Mr. COHN. For how long a period of time have you been working there?

Mr. ULLMANN. Some two years.

The CHAIRMAN. Let the record show that the witness has been notified that he has the right to have counsel if he cares to, and he says he would rather proceed now, and I understand if the time arrives when you think you need counsel, you will then ask for an adjournment so you can employ counsel.

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. At any time you feel you want a lawyer, tell us and we will give you the necessary adjournment.

Mr. ULLMANN. Thank you.

Mr. COHN. Where did you work before that?

Mr. ULLMANN. Well, we have the record, as I stated this morning. I can tell you to the best of my ability, and I gave it to you this morning. That is, before I worked for Bambergers, I worked for, I believe, the Metropolitan Television Company in Brooklyn; and before that I worked for the government.

Mr. COHN. Where did you work for the government?

Mr. ULLMANN. At the final place at the time of my dismissal was at the Watson Laboratories, I believe it is Eatontown.

Mr. COHN. By what branch of the government were you then employed?

Mr. ULLMANN. It was the air force.

Mr. COHN. For how long a period of time did you work for the air force?

Mr. ULLMANN. Well, roughly for the period—well, let us see. I would say two years, and in other words, from the period that the air force took jurisdiction of Watson Laboratories, and a number of personnel were transferred in bulk from the Signal Corps to the Watson Laboratories.

Mr. COHN. Now, was there ever a time when you worked for the Army Signal Corps at Fort Monmouth?

Mr. ULLMANN. That was the time.

Mr. COHN. During what years?

Mr. ULLMANN. Well, I will say again to the best of my recollection, I was given an appointment just prior to Pearl Harbor; I would say it was probably December 1, 1941.

Mr. COHN. For how long a period of time were you in the Army Signal Corps at Fort Monmouth?

Mr. ULLMANN. Again, I repeat, to the best of my knowledge I was at Fort Monmouth, at the post there—originally I was assigned to the post, and I was there roughly three years, I would say, and then I was transferred to the Signal Laboratories.

Mr. COHN. What laboratories?

Mr. ULLMANN. The Signal Corps Engineering Laboratories.

Mr. COHN. Did you ever work at Evans Laboratory?

Mr. ULLMANN. That is right.

Mr. COHN. Did you have access to any classified material when you were there?

Mr. ULLMANN. Yes, sir, I did.

Mr. COHN. Now, Mr. Ullmann, when you were employed by the Army Signal Corps and working at Evans Laboratory, did you organize a Communist party unit known as the Shore Unit?

Mr. ULLMANN. As to that, I am afraid I shall have to invoke the Fifth. I would like to go on record that I should like to cooperate in every way possible. I consider myself a loyal American, and I have no interest in any other nation but our own; but under the circumstances of my discharge and the things subsequent thereof, I feel that anything I may do, even though it may be well intentioned, may possibly incriminate me in some manner or form. So

I am reluctant to invoke the Fifth, but I feel that I must protect myself.

The CHAIRMAN. You feel if you answer that question honestly it might tend to incriminate you?

Mr. ULLMANN. I imagine it would, yes, because I have no idea as to what ramifications may involve.

The CHAIRMAN. The only ramification is: Did you organize a Communist cell? If you did not organize a Communist cell, it would not incriminate you to tell us you did not. If you did organize one, the answer might well tend to incriminate you, especially if espionage were involved. So I understand your answer is that if you told us the truth, that answer might tend to incriminate you.

Mr. ULLMANN. Yes, inasmuch as, again from my understanding and mind you I am a layman and I am merely a technician, but I understand it has been a wide variation in interpretations of what constitutes Communists, and Communist cells and activities, and I say that therefore, inasmuch as there is discrepancies of that type, I must invoke the Fifth Amendment to protect myself.

The CHAIRMAN. Did you visit a lawyer before you came here today?

Mr. ULLMANN. No, I did not.

The CHAIRMAN. You did not talk to a lawyer?

Mr. ULLMANN. I haven't had a chance.

The CHAIRMAN. Just: Did you talk to a lawyer?

Mr. ULLMANN. No, I did not.

The CHAIRMAN. Did you talk to a lawyer since you were first contacted by my staff?

Mr. ULLMANN. I did not.

The CHAIRMAN. Did any legal advisers in the military discuss your testimony with you?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Just so there is no question about this, then I understand that you have not consulted a lawyer, either in the military or out of the military, either a civilian lawyer or any legal officer in the military?

Mr. ULLMANN. That is correct, not up to now. I may have to.

The CHAIRMAN. Not up to this point, you have not discussed it?

Mr. ULLMANN. That is right.

The CHAIRMAN. Has anyone advised you that you should invoke the Fifth Amendment?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Did anyone in the military discuss your testimony with you?

Mr. ULLMANN. No, sir.

The CHAIRMAN. There was no one in the military establishment who has discussed with you the question of what you have testified to?

Mr. ULLMANN. That is right, sir. I had no contact with anyone in the military service.

The CHAIRMAN. Has any member of the Communist party advised or discussed with you the testimony you will give today?

Mr. ULLMANN. No, sir.

The CHAIRMAN. You say "no"?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. ULLMANN. I must invoke the Fifth, naturally.

The CHAIRMAN. Were you a member of the Communist party at all times that you worked in the Signal Corps and had access to top secret material?

Mr. ULLMANN. Again, I repeat inasmuch as a wide interpretation exists, I must invoke the Fifth.

The CHAIRMAN. Have you ever indulged in espionage?

Mr. ULLMANN. Again I must invoke the Fifth, naturally.

The CHAIRMAN. Have you stolen—have you removed secret material from Fort Monmouth?

Mr. ULLMANN. Again, I must invoke the Fifth, naturally.

The CHAIRMAN. Have you turned over secret documents—just a moment.

Mr. COHN. Did you take some documents given to you by a man named Bernard Martin and give them to the representative of the Communist party?

Mr. ULLMANN. I invoke the Fifth Amendment.

Mr. COHN. Do you know a man named Bernard Martin?

Mr. ULLMANN. I invoke the Fifth.

Mr. COHN. Do you know a man by the name of Bernard Martin who is known as Bob Martin?

Mr. ULLMANN. I must invoke the Fifth.

Mr. COHN. Isn't it a fact you worked with this man Martin at the Signal Corps?

Mr. ULLMANN. I must invoke the Fifth.

Mr. COHN. Isn't it a fact that this man Martin gave you certain secret documents bearing on radar which you then turned over to the Communist party?

Mr. ULLMANN. I must invoke the Fifth.

The CHAIRMAN. When did you last work for the government?

Mr. ULLMANN. I say the papers are not available to me, but if I recall—

The CHAIRMAN. When did you last work for the government? I cannot hear you.

Mr. ULLMANN. The paper is not available to me, and I believe that it was April or March of 1948.

The CHAIRMAN. Did you quit or were you fired?

Mr. ULLMANN. I told you I was suspended.

The CHAIRMAN. On what ground?

Mr. ULLMANN. Well, I was charged with—again I can't recall the wording, but basically it was that I was sympathetic to the Communist movement.

The CHAIRMAN. After you were suspended—

Mr. COHN. Were you suspended by the Signal Corps or the air force?

Mr. ULLMANN. It was by the air force.

Mr. COHN. From the Signal Corps you went over to the air force laboratory, from the Signal Corps laboratory, right next door, right near by?

Mr. ULLMANN. It was a complete transfer, from one section, from the Signal Corps labs at Camp Evans to the air force in Eatontown.

Mr. COHN. You were suspended by the air force?

Mr. ULLMANN. That is right, sir.

Mr. COHN. You were not suspended by the Signal Corps?

Mr. ULLMANN. The Signal Corps had no jurisdiction at the time.

Mr. COHN. In other words, no charges were brought against you all of the time you were with the Signal Corps?

Mr. ULLMANN. That is right, sir.

Mr. COHN. When you were working for the Signal Corps, did you work with a man named Aaron Coleman?

Mr. ULLMANN. Again I must invoke the Fifth.

The CHAIRMAN. You will be ordered to answer the question. There is no Fifth Amendment involved. People who worked with you are a matter of record.

Mr. ULLMANN. I mean the thing is, again——

The CHAIRMAN. You are ordered to answer the question.

Mr. ULLMANN. May I inquire, inasmuch as I have no counsel, that if I should answer that, would it jeopardize my standing under the Fifth?

The CHAIRMAN. I am not going to advise you as to the law. If you want a lawyer you can have one here, and I am ordering you to answer the question.

Mr. ULLMANN. I would like to answer it, except that I don't want to jeopardize my standing here, and I would be only too glad to if I wouldn't jeopardize my standing.

The CHAIRMAN. You are ordered to answer it. Do you refuse, or do you want to answer it?

Mr. ULLMANN. Then, may I seek counsel, if that is the case?

The CHAIRMAN. You may.

Mr. ULLMANN. Because I would like to go ahead.

The CHAIRMAN. You may get counsel if you want to. You will be relieved of the responsibility of answering as of this moment because of your request to have counsel.

Roy, do you want to ask further questions and see if he wants counsel on those or not?

Mr. Ullmann, Mr. Cohn has a number of other questions to ask you, and he will proceed to ask those questions. If you would rather not answer those until you have counsel here, you may.

Mr. ULLMANN. I will be glad to cooperate as far as possible, sir.

Mr. SCHINE. You knew Julius Rosenberg?

Mr. ULLMANN. I answered that this morning, sir. Well, again——

Mr. COHN. You are under oath now, and we want you to answer that.

Mr. ULLMANN. Well, I invoke the Fifth, sir.

Mr. SCHINE. You knew Morton Sobell?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Did you ever engage in espionage with either Rosenberg or Sobell?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Did you ever give Rosenberg or Sobell classified material?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Did you know Rosenberg was an espionage agent when you knew him?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Did you know Sobell was an espionage agent when you knew him?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Did you visit at Rosenberg's home?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Did you visit at Sobell's home?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Do you consider Rosenberg a traitor?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Do you consider Sobell a traitor?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Do you prefer the Communist system to ours?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Have you, to your own knowledge, worked in the interest of international communism?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Where are you working now?

Mr. ULLMANN. I work for Bamberger & Company, in Newark.

The CHAIRMAN. What kind of work is that?

Mr. ULLMANN. A department store.

The CHAIRMAN. In the television section?

Mr. ULLMANN. That is right.

The CHAIRMAN. Are you married?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. What was your wife's name before you were married?

Mr. ULLMANN. Her name was Jane Horowitz.

The CHAIRMAN. When did you get married?

Mr. ULLMANN. In Brooklyn, in 1941.

The CHAIRMAN. Was your wife a Communist before you married her?

Mr. ULLMANN. I invoke the Fifth, sir.

The CHAIRMAN. Is your wife a Communist as of today?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. Was your wife an espionage agent?

Mr. ULLMANN. I invoke the Fifth.

The CHAIRMAN. You understand that you are entitled only to invoke the Fifth Amendment if you feel that a truthful answer would tend to incriminate you; and if you invoke the Fifth Amendment, should you feel a truthful answer would not incriminate you, you are in contempt of the committee.

Mr. ULLMANN. I do.

The CHAIRMAN. When you say you invoke the Fifth, in each instance, you are informing the committee that you feel that if you were to tell us the truth, that truthful answer might tend to incriminate you. Is that correct?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. How many children do you have?

Mr. ULLMANN. Two.

The CHAIRMAN. What are their names?

Mr. ULLMANN. Well I have three actually. The oldest is Rhoda.

The CHAIRMAN. Is she married?

Mr. ULLMANN. No. She will be nine in about two weeks.

The CHAIRMAN. How old is the other one?

Mr. ULLMANN. Six.

The CHAIRMAN. What is that one's name?

Mr. ULLMANN. His name is Irwin.

The CHAIRMAN. How about the third one?

Mr. ULLMANN. That is Marjorie, two years old.

The CHAIRMAN. You first said you had two children, and then you said you had three, and I do not quite follow you. You must know how many children you have.

Mr. ULLMANN. Because the baby happens to be very ill, and we have her at a home, and so we have adopted a technique of saying we have two, since there are only two at home. You see, the third is incurably ill.

The CHAIRMAN. Were you married before?

Mr. ULLMANN. No, sir.

The CHAIRMAN. How old are you?

Mr. ULLMANN. Forty-seven.

The CHAIRMAN. Aside from working for the Signal Corps and the air force, did you hold any other jobs in government?

Mr. ULLMANN. No, sir, except those I specified and stated.

The CHAIRMAN. You said except those you specified. Did you work for the government at all except the air force and the Signal Corps?

Mr. ULLMANN. That is right, the post was still Signal Corps. Signal Corps and air force; you are right, sir.

The CHAIRMAN. Did you know Alger Hiss?

Mr. ULLMANN. I must invoke the Fifth, sir.

The CHAIRMAN. You feel if you told us the truth as to whether you knew Alger Hiss, it would tend to incriminate you?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. You understand, of course, that means to us you know Alger Hiss.

Mr. ULLMANN. It may be, sir, and I say these things are subject to interpretations of which I have no control or knowledge, and no way to protect myself.

The CHAIRMAN. Do you know Owen Lattimore?

Mr. ULLMANN. Again I must invoke the Fifth, sir.

The CHAIRMAN. Did you ever attend any Communist cell meetings with Owen Lattimore?

Mr. ULLMANN. I must invoke the Fifth, sir.

The CHAIRMAN. Do you know Dean Acheson?

Mr. ULLMANN. I must invoke the Fifth, sir. You flatter me, sir.

The CHAIRMAN. I am not flattering you. This is no joke, mister. The question is: Do you know Dean Acheson?

Mr. ULLMANN. And the answer is, sir, that I invoke the Fifth.

The CHAIRMAN. You are ordered to answer the question.

Mr. ULLMANN. Yes, sir, and I invoke the Fifth.

The CHAIRMAN. You are ordered to answer the question.

Mr. ULLMANN. And I must take that up with counsel, too.

The CHAIRMAN. You want to talk to your lawyer before you will tell us about your connections with Acheson, is that correct?

Mr. ULLMANN. Before I can answer that question, yes, sir.

The CHAIRMAN. You are entitled to that privilege.

That is all. You will consider yourself under subpoena, and you want to get a lawyer?

Mr. ULLMANN. I would like to.

The CHAIRMAN. How much time do you want?

Mr. ULLMANN. I don't know.

The CHAIRMAN. How much time do you want?

Mr. ULLMANN. What is customary in these things?

The CHAIRMAN. We try and give the witness, whether he is a Communist or a spy or not, as much time as he thinks he needs. We will try and give you that privilege. How much time do you want?

Mr. ULLMANN. May I contact your office when I can make contact?

The CHAIRMAN. You may tell us now how much time you want.

Mr. ULLMANN. May I have two days?

The CHAIRMAN. You are entitled to that. You will have two days, and you will return two days from now. We will make it Thursday morning at ten o'clock.

Have you been giving the FBI any information?

Mr. ULLMANN. No, sir.

The CHAIRMAN. You have not given them any information?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Do you think that perhaps you should give the FBI information as to Communists you knew?

Mr. ULLMANN. I invoke the Fifth there, sir.

The CHAIRMAN. That is all.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. KEISER. I do.

TESTIMONY OF MORRIS KEISER

Mr. COHN. Will you give your full name?

Mr. KEISER. Morris Keiser.

Mr. COHN. Where do you work?

Mr. KEISER. Fort Monmouth, Evans City Laboratory.

Mr. COHN. You have access to classified information?

Mr. KEISER. Oh, yes.

Mr. COHN. Now, do you own a camera?

Mr. KEISER. Yes, sir.

Mr. COHN. What kind?

Mr. KEISER. I own two, I own one Contax, and one pre-war Monitor.

Mr. COHN. How large are these cameras?

Mr. KEISER. One is the Retina, the small one, and one is about that size, and the other one is about that size.

The CHAIRMAN. Would you just for the record tell us about how large?

Mr. KEISER. The Monitor is about seven inches, by five by about two. And the Retina I would say is about five, and three and a half, by one and three-quarters.

Mr. COHN. Of course, you are not allowed to bring cameras into the laboratory?

Mr. KEISER. That is right.

Mr. COHN. Have you ever?

Mr. KEISER. No, not to my knowledge.

Mr. COHN. You have no cameras in addition to those two?

Mr. KEISER. No.

Mr. COHN. Have you ever owned a Minnox camera?

Mr. KEISER. I had one. I borrowed it for a while from the photographic branch, just as a curiosity, and I don't know where they get them, but they had quite a few.

Mr. COHN. Is it a fact that you had that camera in the laboratory?

Mr. KEISER. I cannot recall, just a curiosity, it belonged to the photographic branch of the laboratory.

Mr. COHN. Did you take any pictures?

Mr. KEISER. No.

Mr. COHN. You never used it?

Mr. KEISER. No, I just had it, there was no film and no magazines available, and it was just a curiosity.

Mr. COHN. Why did you borrow the camera?

Mr. KEISER. Just as a curiosity.

Mr. COHN. I don't know what you mean by as a curiosity.

Mr. KEISER. I knew the man in the photographic branch and we have contact with them occasionally, and they do work for us, and they had one, and I looked at it and I asked him whether I could borrow it and I did. I never took any pictures with it, there were no films, or no film magazine or anything of that kind.

Mr. COHN. You said it was just a curiosity, and you just wanted to look at it?

Mr. KEISER. Yes, sir.

Mr. COHN. For how long a period of time did you keep it?

Mr. KEISER. It is hard to tell, maybe a week or something of that sort.

Mr. COHN. Did you take it home with you?

Mr. KEISER. Yes, sir.

Mr. COHN. You had it in the office and then you took it home?

Mr. KEISER. I may have had it in the office.

Mr. COHN. Where did you get it?

Mr. KEISER. I got it from the photographic branch.

Mr. COHN. At the office?

Mr. KEISER. They were at Fort Monmouth, my office is at the Evans Signal Laboratory, but I happened to be down there and they showed me some of the things they had captured during the war, and that was one of them, and I asked whether I could borrow it for a while.

Mr. COHN. Your testimony is that you took no pictures at all?

Mr. KEISER. There was no film.

Mr. COHN. You never have had either of your other two cameras in the laboratory?

Mr. KEISER. No, that is forbidden.

Mr. COHN. What is your job there?

Mr. KEISER. I am chief of the Countermeasures Branch at the Evans Laboratory.

Mr. COHN. Did you know Aaron Coleman?

Mr. KEISER. Only as somebody around and I never had any direct professional dealings with him, and the only contact I had with him in a conference was some years ago when the ORO, oper-

ations and research people made an evaluation of the project he was working on, and they talked about the application of it.

Mr. COHN. Highly classified work is done at the Evans Signal Laboratory?

Mr. KEISER. My personal clearance is top secret and "Q."

Mr. COHN. If somebody gave papers to which he obtained access to work in the Evans Signal Laboratory to the enemy, would that be of assistance to the enemy?

Mr. KEISER. I don't quite get it.

Mr. COHN. If someone took some of these papers dealing with the work you do and gave it to the Russians, would that be of help to them?

Mr. KEISER. Oh, I should say so, yes, sir.

Mr. COHN. The work deals with radar and defense?

Mr. KEISER. My work covers the whole field of countermeasures, and generally the mission is the development of equipment and methods to counter enemy equipment and we are responsible for all of those means and methods and equipment used on the ground, and of course the air force has the air and the navy has the water.

Mr. COHN. It includes guided missiles?

Mr. KEISER. In guided missiles, mind you, we do not develop means of guidance, but in connection with the guided missiles, our responsibility had been until recently when they organized a new army set-up, the measurement and determination of the susceptibility of those missiles to enemy counter-measures, and then we provide what they call anti-jam information to the people who develop the equipment.

Mr. COHN. All of this is very sensitive information?

Mr. KEISER. Oh, yes, and most of our work is highly classified.

The CHAIRMAN. What would the photographic section be doing with this particular camera? What use would they have for it?

Mr. KEISER. It was a collection of stuff captured during the war, and they had some German lenses and they had a show and this was on display.

The CHAIRMAN. That is the type of camera that would be very handy for anyone either working in espionage or counter espionage?

Mr. KEISER. Oh, yes, and I think that the FBI used it, and also the OSS.

The CHAIRMAN. How large is that camera?

Mr. KEISER. If I remember rightly, it was about a little longer than my thumb and maybe about an inch wide, and about half an inch thick.

Mr. COHN. That is a small camera?

Mr. KEISER. Yes.

The CHAIRMAN. Now, Mr. Keiser, I know nothing about you, and this is the first time I have seen you here today, and one of the reasons why the staff called you, and I am emphasizing "one," is that other witnesses testified that you had a Minote camera in your possession, and testified that you showed it to them, and one witness has testified that to the best of his knowledge you used that camera, and now the fact he testified to that does not mean that we are taking his word for it at all. You understand that.

Mr. KEISER. I never used it. It was just a curiosity and it wasn't secret and I showed it to people who happened to be around, and I would have probably taken some pictures experimentally but there was no film or any magazine reels available for it.

The CHAIRMAN. Do you have reason to suspect that anyone out at the laboratory was or is either a member of the Communist party or engaged in espionage?

Mr. KEISER. No, not to my knowledge.

The CHAIRMAN. You had no reason to suspect anyone?

Mr. KEISER. No reason.

The CHAIRMAN. You think that there are no Communists or espionage agents over there?

Mr. KEISER. I don't know.

The CHAIRMAN. You are in very important work?

Mr. KEISER. I am.

The CHAIRMAN. You are working with these people.

Mr. KEISER. That is right.

The CHAIRMAN. I am not trying to trap you in any way, and I just want to get your thought on it. Do you feel that there are no either Communists or espionage agents over there?

Mr. KEISER. I don't know. All I can speak about is from my own group, and that is I organized this particular group back in 1950, in February of 1950, and because the work was so highly classified, probably the highest classified work in the laboratory, I made it a point on every key position, and perhaps lower down, to check with Andrew Reed to find out whether the man had security clearance or was eligible for it, and I wouldn't hire anybody, I couldn't mix that up in my business.

The CHAIRMAN. Who is Andrew Reed?

Mr. KEISER. Andy Reed is the intelligence agent at Fort Monmouth.

The CHAIRMAN. I believe you said you knew Mr. Coleman?

Mr. KEISER. I knew him around and as I said, the direct contact was only in that meeting. However, I have some people who will contact that group since we do have a responsibility for anti-jamming.

The CHAIRMAN. Did you know that Coleman had been suspended? Did you know in 1946 a government intelligence agent found secret material in Coleman's apartment?

Mr. KEISER. I heard of that, yes, sir.

The CHAIRMAN. When did you hear of that?

Mr. KEISER. Just rumor, that they had found stuff.

The CHAIRMAN. Was it after we started this investigation?

Mr. KEISER. That was a long time ago,

The CHAIRMAN. Would you have jurisdiction in that particular case?

Mr. KEISER. No, none whatsoever. He was in the radar branch, and the anti-aircraft.

Mr. COHN. Was he in a sensitive position?

Mr. KEISER. It is hard to say. I don't think that the position is as sensitive as mine.

Mr. COHN. Was it very sensitive?

Mr. KEISER. It was considered I think secret, and I don't know what the classification is now, now that the thing is developed and

they are going to trials soon, I imagine it is down to restricted, and I am not sure.

Mr. COHN. What do you think it would have been in 1946 or 1947?

Mr. KEISER. In 1946 it might have been higher classification because it was the beginning of the thing, and they were developing the methods and means and you keep that under cover.

The CHAIRMAN. If there were espionage agents in your department, or over at Fort Monmouth, and the Signal Corps, and if they were passing information on to the Communists, would you think that that would be a very serious threat to the security of the nation?

Mr. KEISER. It would be, if the people were highly skilled and if they could gather a considerable amount of information on one subject. Because most of the work, the thing is systems work, and that is the elements themselves might be of a lower order of classification because they are applied, but the combination of the elements in a complete system, it would be a very serious thing. But as I said, it would require a lot of information, and somebody quite skilled.

Mr. SCHINE. Mr. Keiser, wasn't it in 1949 or 1950 that you borrowed that camera?

Mr. KEISER. It might be along about there.

Mr. SCHINE. Just when these cameras were being imported.

Mr. KEISER. I don't think these particular ones. They were on display in a group of equipment and apparently had been captured and it was on display in the photographic branch.

Mr. SCHINE. Wouldn't it have been possible for someone else to borrow that same camera?

Mr. KEISER. I don't know, probably. I am not sure.

Mr. SCHINE. And it probably would have been possible for this individual to get the camera into his section with no more trouble than you had getting it into your section?

Mr. KEISER. I doubt it. I doubt whether any Tom, Dick, or Harry could do it. I have been around there an awful long time and certainly I don't think anyone would think that I would mis-use it.

Mr. SCHINE. But you had no trouble in getting it into your shop?

Mr. KEISER. Well, I don't know quite what you mean. It was open and above-board. This was somebody, whoever gave it to me, and I don't recall exactly who was in charge at the time. I think it was a man named Sidney Weinrib, and I knew him, and as a matter of fact during the war I had charge of the gun location work and Weinrib himself was my alter ego at the chief's office, and he did the staff work and I met him there, and I knew him throughout the war.

Mr. SCHINE. What was the penalty for having a camera in your office at that time?

Mr. KEISER. I am not sure that I had that in my office. I had it at home, but I am not sure that I had it there, and I don't think that I did.

Mr. SCHINE. May I ask you, did you show the camera to a Dr. Daniels in your office?

Mr. KEISER. If I brought it into the office, it would have been likely that I did, because Dr. Daniels is an expert optics man.

Mr. SCHINE. He testified that you did show it to him.

Mr. KEISER. Then I think it is correct, if he testified. This was laboratory property, and it wasn't a private camera.

Mr. COHN. If you could go in and get a camera and have it in the laboratory, it might have been possible for someone else to do the same thing.

Mr. KEISER. I wouldn't know. I doubt it.

Mr. COHN. You did it.

Mr. KEISER. I was in a pretty big position, and people knew me.

Mr. COHN. Mr. Coleman was in a pretty big position.

Mr. KEISER. I don't know whether Mr. Coleman would have had access to it or not, all I can say is that people knew me and it was a curiosity.

Mr. COHN. Do you think they knew Coleman too? He worked there for thirteen years.

Mr. KEISER. I don't know.

Mr. COHN. He was grade 14, and he received ten thousand dollars a year.

Mr. KEISER. I can't testify to that. He was quite a dynamic person, and apparently did a very good job at this 4-14-A, the aircraft defense system.

Mr. COHN. Would you say he had a pretty complete general knowledge of it?

Mr. KEISER. Of the system itself, I think—I don't know—but as I understand, he actually promoted the thing and developed it and so on. He was the bellwether.

Mr. COHN. Do you know that he had been taken to Young Communist League meetings by Julius Rosenberg?

Mr. KEISER. I wouldn't know that, and I think these people are much younger than I am, and I don't meet them socially or don't have anything to do with them on the outside.

Mr. SCHINE. What was the penalty for having a camera in one's office?

Mr. KEISER. I don't know—a private camera, I don't know what it is. It is just prohibited.

Mr. SCHINE. The thing I am trying to establish is that even though it was prohibited to have a camera, it was possible.

Mr. KEISER. This was a laboratory camera, and there are cameras in the re-production branch that we can borrow for our work all of the time, and we take pictures of scope phases all of the time in order to record certain phenomenon, and you can point it at something else, and I don't see that you have got to have that in connection with your work.

The CHAIRMAN. Let me ask you, Mr. Keiser, and in this connection I want to say that your name will not be given to anyone outside of this room unless you give it to them yourself.

Mr. KEISER. I would appreciate that, because I am afraid the management would worry, and I have probably the most sensitive job in the whole place.

The CHAIRMAN. The reason we keep all names completely secret is because we know that many of the people we call here are good, honest, loyal Americans, and we realize that if word got out that they were called in an investigation of this nature that there would be the impression that maybe they were suspected of having done

something improper. So your name will not be given by anyone in this room, and we have the penalty of contempt if anyone gives out your name and it has never been done before. The only way your name will be given out is if you do it yourself, and as you leave down here you may run into some newsman. It is possible. We have no control over that, and if you do just use your own judgment.

Mr. KEISER. I live in a house and I want to keep it clean.

The CHAIRMAN. I just want to impress upon you that if you meet some newsman, you are under no obligation to talk to him, and if they ask who you are, you can tell them anything you want to. If you want to give your name, you can do it.

Mr. KEISER. I will refer them to the intelligence people, or the public relations people at Fort Monmouth.

The CHAIRMAN. You can say you are just in the building on some other business, you can do that. Your name will not be made public. No one will know you are here, unless you tell them unless it develops later that we want to call you in public session. At the present time, it does not appear that we will want you in public session.

Mr. KEISER. I will be perfectly willing to come whenever you do it, and I would like you to do one thing. Since I am in a sensitive position, and the lab is in the process of reorganization, I would appreciate it very much if you could give our commanding officer some indication of what your findings are in respect to me.

The CHAIRMAN. Mr. Keiser, did anyone over in your department over at Monmouth, either in the military or otherwise, advise you not to give us certain information?

Mr. KEISER. No, they didn't tell me anything. They said you have made this request, and would I go, and I said, "Sure," and they didn't tell me how or why or anything else.

The CHAIRMAN. That is all that I have. I don't think that we will need you any further at all. But in case we do, we will contact you.

Mr. KEISER. May I say this session has been entirely different from what some of the newspapers publish.

The CHAIRMAN. Thank you.

Do you solemnly swear in this matter in hearing before the committee that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. RABINOWITZ. I do.

TESTIMONY OF SEYMOUR RABINOWITZ

Mr. SCHINE. State your name, please?

Mr. RABINOWITZ. Seymour Rabinowitz.

Mr. SCHINE. Would you spell it?

Mr. RABINOWITZ. R-a-b-i-n-o-w-i-t-z.

Mr. SCHINE. Mr. Rabinowitz, what is your present occupation?

Mr. RABINOWITZ. I am an electronic engineer.

Mr. SCHINE. And you are employed at Fort Monmouth?

Mr. RABINOWITZ. In the Signal Corps Engineering Laboratories.

Mr. SCHINE. What is your position there?

Mr. RABINOWITZ. I am in the procurement maintenance engineering division, as a field engineer.

Mr. SCHINE. What are your duties?

Mr. RABINOWITZ. Well, fundamentally, they are in two parts. One is our function of complex equipments to devices and test procedures which were subsequently turned over to the inspection organizations and to act as technical advisers to them, and to do whatever we can to help solve production problems.

Mr. SCHINE. This is classified work?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. Is this in the Evans Laboratory?

Mr. RABINOWITZ. No, sir.

Mr. COHN. Have you worked there?

Mr. RABINOWITZ. No.

Mr. COHN. What laboratory do you work with?

Mr. RABINOWITZ. I am with the procurement maintenance engineering division.

Mr. COHN. Do you work in any laboratory?

Mr. RABINOWITZ. Well, this is a division of the Signal Corps Engineering Laboratory.

Mr. COHN. Which engineering laboratory?

Mr. RABINOWITZ. Well, there are three labs, and one division, which is the procurement maintenance engineering division.

Mr. COHN. Now, your division would include all three of the labs?

Mr. RABINOWITZ. No, sir; our division, the procurement maintenance engineering division is a division that has as its prime, overall function the procurement activities and the maintenance activities.

Mr. COHN. Have you had any access to classified information?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. Do you have access to classified material now?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. You do?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. And let me ask you this: Do you know Aaron Coleman?

Mr. RABINOWITZ. I believe vaguely that he was in one of my classes back in college.

Mr. COHN. Is that in City College?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. Do you know Julius Rosenberg?

Mr. RABINOWITZ. I don't recall ever knowing him.

Mr. COHN. How about Morton Sobell?

Mr. RABINOWITZ. The same would apply there.

Mr. COHN. And William Mutterperl?

Mr. RABINOWITZ. Mutterperl's name is familiar, but I would like to comment on that. At the time of this mess, the FBI asked me if I could shed any light, or if I could tell them something about certain individuals, and they showed me the series of pictures and asked me if I could identify them, and shed any light on their activities, and although at the time none of them particularly seemed familiar, naturally they were pretty well impressed upon me because of the seriousness of the situation.

Mr. COHN. Did you recognize any of those pictures?

Mr. RABINOWITZ. At the time, no.

Mr. COHN. Have you since then placed them?

Mr. RABINOWITZ. Not particularly, although the names are perhaps a little more familiar. As I told the FBI man at the time, if he gave me pictures at the time I went to school, I might be better able to identify them.

Mr. COHN. Have you known any of them out at Monmouth?

Mr. RABINOWITZ. No.

Mr. COHN. How long have you been there?

Mr. RABINOWITZ. I have been with the Signal Corps Engineering Lab since early 1952.

Mr. COHN. Just since 1952, is that right?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. Were you ever with them before that?

Mr. RABINOWITZ. I was at the Signal Corps before, but not at the laboratory.

Mr. COHN. Where?

Mr. RABINOWITZ. I was with the procurement district in Philadelphia, and I was an officer in the Signal Corps.

Mr. COHN. Did you know a man named Joseph Levitsky?

Mr. RABINOWITZ. Not particularly.

Mr. COHN. Does the name ring a bell?

Mr. RABINOWITZ. None that I can recall particularly, off-hand.

Mr. COHN. Did you know Coleman?

Mr. RABINOWITZ. I remember Coleman's name more than I remember Coleman.

Mr. COHN. Have you known him out at Monmouth?

Mr. RABINOWITZ. No, sir.

Mr. COHN. Have you known Harold Ducore?

Mr. RABINOWITZ. In approximately the last year, Ducore became head of a section which had the development cognizance over some of the projects I was working on, in production.

Mr. COHN. How about this section Ducore headed? Did they have access to classified material?

Mr. RABINOWITZ. I would say so.

Mr. COHN. Was it a sensitive job?

Mr. RABINOWITZ. Well, is there a Department of Defense man present? I was told that there would be and I could ask if I could make certain statements.

The CHAIRMAN. The secretary of the army will be here starting tomorrow morning, but he is not here this afternoon.

Mr. RABINOWITZ. I don't believe it would be revealing anything, however.

Mr. COHN. Speak in general terms.

Mr. RABINOWITZ. He is head of one of the major sections.

Mr. COHN. We have his job file and job description here, and it does involve very sensitive work?

Mr. RABINOWITZ. I would imagine so.

Mr. COHN. Work that, say, if the enemy knew of it, it would be of considerable assistance to them?

Mr. RABINOWITZ. I would presume so.

Mr. COHN. I have nothing further.

The CHAIRMAN. I hope you realize that the mere asking you of these questions does not indicate that we have any feeling on it one way or the other, and we always ask witnesses these questions

when they are handling secret work. Are you now or have you ever been a member of the Communist party?

Mr. RABINOWITZ. Absolutely not.

The CHAIRMAN. To your knowledge, did you ever join or belong to any organization listed by the attorney general as a front for the Communist party?

Mr. RABINOWITZ. To my knowledge, absolutely not.

Mr. SCHINE. Mr. Rabinowitz, have you ever borrowed a camera from the photographic section in conjunction with your work?

Mr. RABINOWITZ. I don't believe so.

Mr. SCHINE. If you wanted to take some pictures in conjunction with your work, wouldn't you ask somebody from the photographic section to come over and do it?

Mr. RABINOWITZ. Well, sir, I have never had occasion to have pictures taken, and so I really wouldn't know.

Mr. SCHINE. It is forbidden to have cameras in the office?

Mr. RABINOWITZ. I would presume so.

Mr. SCHINE. Have you ever seen a camera in there?

Mr. RABINOWITZ. I guess I have, but I would say in general they were lab cameras.

Mr. SCHINE. Usually this work is done by the photographers from the photographic division?

Mr. RABINOWITZ. I wouldn't want to say of my own knowledge, because this is a development lab, and ours is a production lab, and I am not too familiar with precisely their functioning. That is other than as I come in contact with it.

The CHAIRMAN. May I say, Mr. Rabinowitz, the fact you were called here does not indicate that the committee or the staff thinks that you have done anything improper, and we are merely trying to get a complete picture of the operation. We have some extremely disturbing evidence of espionage out there, but that does not mean that every witness called is suspected even remotely of having anything to do with it. But we have to call the various people in the department to get a picture of what is going on.

Now, we have a hard and fast rule here that your name will not be given to the press and not be given to anyone else unless you give it yourself, and the reason for that is that if we were to give your name out, even though you might be here as a completely cooperative witness there would be the suspicion on the part of some of your co-workers that you were called here because of some improper conduct.

When you leave here, there may be members of the press out at the door. We never know. And if they contact you, you can tell them you did testify or did not or you can say you were in the building for some other purpose, or if you want to you have a perfect right to say you were a cooperative witness and give them any information you desire. As far as we are concerned, we don't give your name.

I may say that I don't think that we will want this witness back.

Mr. COHN. I have no present intention.

Mr. RABINOWITZ. I might make one suggestion. This has naturally disturbed me, and as you can imagine, these remarks are passed around quite freely, particularly people from City College

who were there about the same time as the Rosenbergs and so on. So I guess I am anxious for this mess to be cleared up as anyone.

This is strictly an impression of mine, and it is nothing that I could ever get on the witness stand and swear to, because it is just an impression, and nothing more than that. When the FBI people showed me these pictures, and I was frankly amazed because it had always been my impression that the Communist activities at the college, and of course there was always a noisy nucleus, were not in the engineering school, and so it was quite a shock to hear or have implied that there were some. At the same time I felt like saying to the FBI that if I were in their position looking for a nucleus, I would look essentially in the social sciences group, because it is just an impression that the noisy groups were generally in that class. I couldn't say anything positive, and I could never swear that any particular party was, but it is just an impression.

The CHAIRMAN. If you want your commanding officer to call Mr. Carr or Mr. Cohn, they will be glad to give them a resume of what has been asked you, and the secretary of the army is going to attend all sessions starting tomorrow morning, and he will have a copy of your testimony.

The reason I say that is because if your commanding officer knows you have been called, he may be very curious to know what you were questioned about, and if you want him to get a resume, Mr. Cohn or Mr. Carr will do that.

Mr. RABINOWITZ. Mr. Sullivan asked me to send him a note, or shall I give him a note?

The CHAIRMAN. You are absolutely free to give the commanding officer a complete resume.

Raise your right hand. Do you solemnly swear in the matter now in hearing before this committee you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. RIEHS. I do.

TESTIMONY OF RUDOLPH C. RIEHS

Mr. SCHINE. What is your full name?

Mr. RIEHS. Rudolph C. Riehs. R-i-e-h-s.

Mr. SCHINE. What is your present occupation?

Mr. RIEHS. Electrical engineer.

Mr. SCHINE. What are your duties there?

Mr. RIEHS. I am an assistant to the chief of the Radio Communications Branch of the Coles Signal Laboratory. I am on the sort of technical staff.

Mr. SCHINE. What does this work entail?

Mr. RIEHS. Primarily I handle the program planning, as plans and programs, preparing the budget, budget estimates, justifications for the budgets, writing up proposals for new projects, and things of that sort.

Mr. SCHINE. This involves classified work?

Mr. RIEHS. That is right.

Mr. SCHINE. Are you cleared for security?

Mr. RIEHS. Yes, I have clearance through secret at the laboratories.

Mr. SCHINE. And you attended City College?

Mr. RIEHS. That is right.

Mr. SCHINE. In what years?

Mr. RIEHS. From 1932 to 1936 during the day, and from 1936 to 1938, the early part of 1938 in the evenings.

Mr. SCHINE. And you knew Julius Rosenberg?

Mr. RIEHS. No, I did not.

Mr. SCHINE. Or Morton Sobell?

Mr. RIEHS. No.

Mr. SCHINE. You never saw them or talked to them or knew them socially or otherwise?

Mr. RIEHS. No.

Mr. SCHINE. Some of your classmates at City College are currently employed at Fort Monmouth?

Mr. RIEHS. I believe so, and well, within a year or two, I know that—either a year ahead or so or a year after.

Mr. SCHINE. Would you give us the names of those individuals.

Mr. RIEHS. The only ones, I am not certain of all of them, but Mr. Hecker I believe is a City College graduate, and he was here earlier today, and I can't remember the others at the moment, but there were probably six or eight of the people I worked with who are City College graduates up there.

The CHAIRMAN. I am going to ask you a question, and I want you to understand the fact that we ask this question and it does not mean that we have an opinion in the matter at all. It is merely a question we ask of all witnesses who appear before the committee, and who are doing any classified work.

Are you now or have you ever been a member of the Communist party?

Mr. RIEHS. No.

The CHAIRMAN. Have you ever attended any Communist party meetings?

Mr. RIEHS. No.

The CHAIRMAN. Have you ever been solicited to join the party?

Mr. RIEHS. No.

The CHAIRMAN. Did you ever join any organization which was then or was subsequently listed by the attorney general as a front for the Communist party?

Mr. RIEHS. No, I never have, I belong to very few, and the only ones are technical societies and church and so on.

The CHAIRMAN. I have no further questions. And may I say, Mr. Riehs, I know the impression of most witnesses when they are called before a Senate committee is that they are suspected of some wrong-doing, which is completely fallacious assumption. It is in order to get a complete picture of the operations of any organization and we start an investigation and we must call many people who are good, loyal Americans. So the fact that you are called here is no reflection upon you at all.

However, we have the practice of not giving names of any witnesses to the public because of the fact that so many people think that if someone appears before our committee he is suspected of wrong-doing and the only way that your name will be known and the only way anyone knows that you have appeared before the committee is that you tell them yourself.

Mr. RIEHS. Is this secret, and nothing is to be divulged?

The CHAIRMAN. Except that if you want to examine your testimony you will have a chance to see it, and, number two, the secretary of the army has asked that we give him a copy of all of the testimony taken. But other than that, it will not be published at all.

You will most likely be met on the way out with some members of the press, and you may tell them anything you like. You can tell them you testified or did not testify, if you want, or you can tell them you were in the building on some other business.

I may say if your commanding officer or your boss out there is disturbed by the fact that you were called, if he thinks that is a reflection on you, you can have him call our staff.

Mr. RIEHS. I think they are aware of it. I came down through the intelligence people up there, and the only thing he asked me was if I could say anything he would like to know what happened.

The CHAIRMAN. You can give him a full report.

Mr. RIEHS. All right, sir. Thank you.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GREENBLUM. I do.

TESTIMONY OF CARL GREENBLUM

Mr. SCHINE. Give your full name, please.

Mr. GREENBLUM. Carl Greenblum, C-a-r-l, G-r-e-e-n-b-l-u-m.

Mr. SCHINE. And your current occupation?

Mr. GREENBLUM. I am in the electronic engineering at Fort Monmouth.

Mr. SCHINE. What is your work?

Mr. GREENBLUM. I am connected with research and development of electronics.

Mr. SCHINE. This is classified?

Mr. GREENBLUM. Yes, sir.

Mr. SCHINE. And you are cleared for it?

Mr. GREENBLUM. Yes, sir.

Mr. SCHINE. Secret work?

Mr. GREENBLUM. Yes, sir.

Mr. SCHINE. Where did you get your college education?

Mr. GREENBLUM. At CCNY.

Mr. SCHINE. While you were at CCNY, you knew Morton Sobell?

Mr. GREENBLUM. Very vaguely.

Mr. SCHINE. You were in his class as a matter of fact?

Mr. GREENBLUM. I don't recall, but I could well have been.

Mr. SCHINE. You knew him around the school?

Mr. GREENBLUM. Yes, sir.

Mr. SCHINE. You also knew Julius Rosenberg?

Mr. GREENBLUM. The same way.

Mr. SCHINE. And you saw them after you left college on a number of occasions?

Mr. GREENBLUM. Yes.

Mr. SCHINE. Will you give us the occasions?

Mr. GREENBLUM. Rosenberg was employed at the Signal Corps Inspection Agency, and I think I saw him on one or two occasions at the office there.

Mr. SCHINE. What were his duties there?

Mr. GREENBLUM. He was an inspector.

Mr. SCHINE. What was the year?

Mr. GREENBLUM. What is that?

Mr. SCHINE. What was the year that he was employed there?

Mr. GREENBLUM. I think this was 1940, 1941, or 1942.

Mr. SCHINE. Would you describe what an inspector did, as such?

Mr. GREENBLUM. He would check for conformance to government specifications, material which was procured by the government.

Mr. SCHINE. Some of this was classified work?

Mr. GREENBLUM. Some of it was, yes, sir.

Mr. SCHINE. In other words he was cleared for secret work?

Mr. GREENBLUM. I didn't know that.

Mr. SCHINE. He would have to be to do this work, wouldn't he?

Mr. GREENBLUM. I guess so, yes, sir.

Mr. SCHINE. And the other occasions on which you came in contact with Rosenberg and Sobell after you left college, would you outline those for us, please?

Mr. GREENBLUM. Well, I think that I mentioned the ones with Rosenberg; and with Sobell, when I went to work at Fort Monmouth, Evans Signal Laboratory, I was employed or I was directed in the capacity of a project engineer, to go to Reeves Instrument Corporation, and I went there on a contract which we had, and he happened to be sitting in the same room with the engineer who was project engineer on our work.

I nodded my head at him, and this was the social or contact.

Mr. SCHINE. He was employed by the company?

Mr. GREENBLUM. By the Reeves Instrument Company, yes, sir.

The CHAIRMAN. In college, you merely knew him as you would know any other student in college, is that correct?

Mr. GREENBLUM. Yes; less so, I mean.

The CHAIRMAN. And the next time you saw him was when you went to some project—and I missed the description of it. What project was that?

Mr. GREENBLUM. This was a project which was being worked on by the Reeves Instrument Company, and while I was visiting there I saw him at the company, and he was not working on this project.

The CHAIRMAN. He was in the engineer's office?

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. Do you know if he was working there, or was he just in there as an engineer, visiting as an engineer? Did he have a desk there?

Mr. GREENBLUM. He had a desk, yes, sir.

The CHAIRMAN. Who was the chief engineer there at that time, do you know offhand?

Mr. GREENBLUM. I don't know, sir.

The CHAIRMAN. This was what year?

Mr. GREENBLUM. This was, I think, in 1949.

Mr. SCHINE. You were telling us that you saw Sobell and nodded to him when he came to meet with some of the people at Fort Monmouth in conjunction with his work for the Reeves Company

Mr. GREENBLUM. No, I never met him at Fort Monmouth.

Mr. SCHINE. Where was it that you did meet him?

Mr. GREENBLUM. At the Reeves plant.

Mr. SCHINE. And what was the nature of this relationship between the Reeves Company, for which Sobell worked, and Fort Monmouth?

Mr. GREENBLUM. Well, I am not familiar with it.

Mr. SCHINE. In general terms.

Mr. GREENBLUM. We had a contract with the Reeves Company, and they had at the time about eight project engineers. Now the contract that they had with my section was supervised by a project engineer by the name of Perry Seay, and he was the man that I went to see. That was the only time that I ever met Sobell after I had gone to school.

Mr. SCHINE., Would you spell that name, Perry—

Mr. GREENBLUM. S-e-a-y.

Mr. SCHINE. And what was Sobell's job with the Reeves Company?

Mr. GREENBLUM. I believe it was as a project engineer.

Mr. SCHINE. And he worked with Seay?

Mr. GREENBLUM. No. As I understand it, they were on a parallel level, or on the same level, but they handled different jobs.

Mr. SCHINE. Is Seay the individual who dealt with Sobell?

Mr. GREENBLUM. No. Seay was the individual who was the project engineer on the contract for Evans Signal Laboratory.

Mr. SCHINE. Then who hired the Reeves Company and dealt with Sobell?

Mr. GREENBLUM. The Reeves Instrument Company had contracts with the government to supply it with apparatus.

Mr. SCHINE. Somebody had to initiate these contracts and somebody dealt with Sobell. Could you give us the name of that individual?

Mr. GREENBLUM. I don't know who dealt with Sobell at all.

Mr. COHN. Who did Sobell go to see when you saw Sobell out at Monmouth?

Mr. GREENBLUM. I never saw Sobell out at Monmouth.

Mr. COHN. Did you know that he had been out at Fort Monmouth?

Mr. GREENBLUM. No, I didn't.

Mr. COHN. Did you know Aaron Coleman?

Mr. GREENBLUM. Yes, sir.

Mr. COHN. Do you know him?

Mr. GREENBLUM. Yes, sir. Aaron Coleman was the chief of the section of which I am an engineer.

Mr. COHN. What section is that?

Mr. GREENBLUM. The system section.

Mr. COHN. Is there any classified work in that section?

Mr. GREENBLUM. Yes, sir.

Mr. COHN. Is it highly classified work in that section over the years?

Mr. GREENBLUM. Well, there is secret work in there, yes.

Mr. COHN. That deals with the broad terms; that deals with radar and anti-aircraft defense?

Mr. GREENBLUM. In broad terms, yes, sir.

Mr. COHN. And I assume information classified secret, if given to the enemy, would be of value to the enemy; is that right?

Mr. GREENBLUM. I believe so, yes, sir.

Mr. COHN. Now, have you known Mr. Coleman socially?

Mr. GREENBLUM. No.

Mr. COHN. Not at all?

Mr. GREENBLUM. Well, no. I was over at the house once, in the five years I was down there.

Mr. COHN. Who was present at his home?

Mr. GREENBLUM. Mr. Bookbinder, Benjamin Bookbinder.

Mr. COHN. And who else?

Mr. GREENBLUM. That is all.

Mr. COHN. Did you know Mr. Coleman knew Mr. Sobell?

Mr. GREENBLUM. No, I didn't.

Mr. COHN. Did you know Mr. Sobell had stayed at Mr. Coleman's home down at Monmouth?

Mr. GREENBLUM. No, sir, I did not.

Mr. SCHINE. Getting back to the meeting at Reeves where you saw Sobell, could you tell us the names of the individuals who were there?

Mr. GREENBLUM. Well, Perry Seay; there was a man by the name of Friedman.

Mr. SCHINE. Do you know his first name?

Mr. GREENBLUM. Larry Friedman, and he at present works for the Belloch Instrument Company, and I might mention Harry Belloch was at that time vice president in charge of Reeves.

Mr. SCHINE. What did Mr. Friedman do at that time?

Mr. GREENBLUM. He was a mechanical engineer.

Mr. SCHINE. For Reeves?

Mr. GREENBLUM. Yes, sir.

Mr. SCHINE. And who else was at that meeting?

Mr. GREENBLUM. I want to point out, this was not a meeting in the sense of a meeting, but there were eight desks in this room, and I went to see Mr. Friedman and Mr. Seay, and so he was over there, and I just nodded to him.

Mr. SCHINE. When you met Mr. Rosenberg, what was the nature of your conversation with him, when you ran into him when he was an inspector at Fort Monmouth?

Mr. GREENBLUM. Just practically nodding heads, and I never knew him more than to acknowledge him.

Mr. SCHINE. Did you know any of his friends at Fort Monmouth?

Mr. GREENBLUM. No.

Mr. SCHINE. Do you know the names of any of the people with whom he associated at Fort Monmouth?

Mr. GREENBLUM. No, sir, I don't. My relationship was merely a nodding of the head.

Mr. SCHINE. Had you ever seen him walk around Fort Monmouth with any particular individuals?

Mr. GREENBLUM. Now wait a minute. I would like to say something. I never saw Rosenberg at Fort Monmouth. I had seen him at the Signal Corps inspection agency, which is a completely different thing.

Mr. COHN. What was Rosenberg doing? What was the nature of his duties as far as you could tell?

Mr. GREENBLUM. As a Signal Corps inspector, you mean?

Mr. COHN. Yes.

Mr. GREENBLUM. Well, he would check equipment for compliance with specifications.

Mr. COHN. Would he have access to any classified material in the course of those duties? Would he be apt to come across any?

Mr. GREENBLUM. There were all kinds of contracts. Some of them were classified.

The CHAIRMAN. He was inspecting radar equipment and various types of equipment to make sure that it conformed to the specifications?

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. And I assume that the specifications for the various equipment was generally classified?

Mr. GREENBLUM. Some of them were, and some of them weren't. If you would be inspecting a small piece, it wouldn't be classified, and if you were inspecting an important piece of equipment, it could be.

The CHAIRMAN. Did you ever visit at Rosenberg's home?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Did he ever visit your home?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. And did you ever visit Sobell's home?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Nor he at yours?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Did you ever or were you ever solicited by anyone to join either the Communist party or the Young Communist League?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. I am not asking whether you ever joined, and the question was: Were you ever solicited or asked to join?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Did you ever attend any meetings, either of the Communist party or the Young Communist League?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Did you ever have any reason to feel that there might be Communists or espionage agents working over in the Signal Corps at Fort Monmouth?

Mr. GREENBLUM. No, sir, I didn't.

The CHAIRMAN. Did you visit in Aaron Coleman's place more than once?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. I think that you covered this, but I was talking to one of the investigators at the time. Was that a dinner party, or just a case of stopping in to say hello, or what was the occasion of it?

Mr. GREENBLUM. He asked Bookbinder over and myself, and we came in the evening.

The CHAIRMAN. Is Bookbinder still with the Signal Corps?

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. What is his first name?

Mr. GREENBLUM. Benjamin.

The CHAIRMAN. Did you ever have any reason to believe that Coleman was either a Communist or an espionage agent?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Had you heard he had been suspended at one time?

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. That was in 1946?

Mr. GREENBLUM. I don't know, sir. I came to work at Evans Signal Laboratory in December of 1948.

The CHAIRMAN. Did you ever discuss his suspension with him?

Mr. GREENBLUM. No, I didn't.

The CHAIRMAN. When you attended the City College, did you ever attend any meetings with either Rosenberg or Sobell?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. I am not sure you have answered this question, but did you ever join any organization which was then listed or subsequently listed by the attorney general as a front for the Communist party?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Before you came here to testify, and after you were called by the staff, did anyone at the Fort Monmouth base discuss with you your testimony?

Mr. GREENBLUM. No, sir.

The CHAIRMAN. I ask you this question not because it would be improper, you have a perfect right to do that, but merely for information.

Mr. GREENBLUM. No, sir.

The CHAIRMAN. Your answer is that you did not?

Mr. GREENBLUM. That is right.

Mr. SCHINE. I have one other question. Where was it that you saw Rosenberg?

Mr. GREENBLUM. At the office of the Signal Corps Inspection Agency.

Mr. COHN. Where is that?

Mr. GREENBLUM. Well, this was in the New York Port of Embarkation in Brooklyn. Inspectors would show up there on Saturday mornings.

Mr. SCHINE. Did you visit there very often?

Mr. GREENBLUM. No, sir; only when you didn't have an assignment.

Mr. SCHINE. When you visited this place, did you notice any particular individual who associated with Rosenberg?

Mr. GREENBLUM. No, sir.

Mr. SCHINE. Or had lunch with him?

Mr. GREENBLUM. No, sir.

Mr. SCHINE. Did you have lunch with him?

Mr. GREENBLUM. No, sir; I did not.

Mr. SCHINE. Did you talk with him at all?

Mr. COHN. When did you see Rosenberg?

Mr. GREENBLUM. This may have been 1940.

The CHAIRMAN. I thought that you said you didn't start to work until 1948?

Mr. GREENBLUM. You see, I went to work at Fort Monmouth in 1948.

Mr. COHN. But you had been working with the Signal Corps?

Mr. GREENBLUM. This is the Signal Corps Inspection Agency, yes, sir.

Mr. CARR. Benjamin Bookbinder—what is his job over there. He is at Monmouth now?

Mr. GREENBLUM. He is an engineer.

Mr. CARR. Is he at the Evans Laboratory?

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. Mr. Greenblum, may I just for your information tell you that the fact that a witness is called here does not indicate that this committee or the staff thinks that he did or did not do anything improper. We are going into this matter of alleged espionage at the Signal Corps, and in doing so we will call many good loyal Americans here to get some information from them, and so the fact that you were called does not or should not be any reflection upon you or any other witness.

Our job is not to either clear a witness or vice versa, but our job is to get information.

In view of the fact that some people might think that the mere calling of a witness would indicate that he was doing something improper, we have a hard and fast rule that the names of no witnesses called in secret session are given out. Your name will not be given to the press or given to anyone else unless you give it yourself. You are at perfect liberty to tell your commanding officer and your superior exactly what went on here today, if you care to.

You are excused from the subpoena, and I don't think that we will want this witness any further.

[Whereupon the hearing adjourned at 4:00 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Joseph Levitsky (1913–1978) testified in a public hearing on November 24, 1953. Louis Kaplan testified on December 17, 1954. William Ludwig Ullman (1910–1990), Bernard Martin, Harry Donohue, Jack Frolow, Bernard Lewis (1917–1978), and Craig Crenshaw, did not testify in public.]

TUESDAY, OCTOBER 13, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:30 a.m., pursuant to recess, in room 2804 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel.

Present also: Hon. Robert T. Stevens, secretary of the army; and John Adams, counselor to the secretary of the Department of the Army.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEVITSKY. I do.

TESTIMONY OF JOSEPH LEVITSKY (ACCOMPANIED BY HIS COUNSEL, LEONARD BOUDIN)

Mr. COHN. Can we get the name of counsel?

Mr. BOUDIN. Leonard Boudin, B-o-u-d-i-n, 76 Beaver Street, New York.

Mr. COHN. Mr. Boudin has appeared before the committee, and I assume is fully conversant with the rules.

Your name is what?

Mr. LEVITSKY. Joseph Levitsky.

Mr. COHN. L-e-v-i-t-s-k-y?

Mr. LEVITSKY. That is right.

Mr. COHN. What is your address?

Mr. LEVITSKY. 65 Rutgers Place, River Edge, New Jersey.

Mr. COHN. River Edge, New Jersey?

Mr. LEVITSKY. That is right.

Mr. COHN. Mr. Levitsky, what do you do at the present time?

Mr. LEVITSKY. I am an engineer.

Mr. COHN. You are an engineer?

Mr. LEVITSKY. That is right.

Mr. COHN. Are you a graduate engineer?

Mr. LEVITSKY. That is right.

Mr. COHN. What school?

Mr. LEVITSKY. Cooper Union.

Mr. COHN. In what year?

Mr. LEVITSKY. 1935.

Mr. COHN. Have you worked in the United States Signal Corps, Army Signal Corps?

Mr. LEVITSKY. Yes.

Mr. COHN. In what year?

Mr. LEVITSKY. '40 to '43.

Mr. COHN. Where were you stationed?

Mr. LEVITSKY. I was working out of two offices of the Signal Corps; that is, Signal Corps offices had moved during the war.

Mr. COHN. Would you give us some of the locations?

Mr. LEVITSKY. I was stationed at RCA, at Bendix, at Philco for a short time, and a lot of small plants for very short durations.

Mr. COHN. What was the nature of your duties with the Signal Corps?

Mr. LEVITSKY. I was inspecting government material at the plants where they were being manufactured.

Mr. COHN. Did you ever come in contact with any classified material?

Mr. LEVITSKY. Yes.

Mr. COHN. You did?

Mr. LEVITSKY. Yes.

Mr. COHN. Mr. Levitsky, during the time you were with the Army Signal Corps in contact with this classified material, were you a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth Amendment in answering that question.

Mr. COHN. You refuse to answer on the ground the answer might tend to incriminate you?

Mr. LEVITSKY. That is right.

Mr. COHN. Mr. Levitsky, at the time you were with the Army Signal Corps, were you engaged in espionage against the United States?

Mr. LEVITSKY. I certainly was not.

Mr. COHN. Were you ever engaged in espionage against the United States?

Mr. LEVITSKY. No, I certainly was not.

Mr. COHN. Did you appear before a federal grand jury in this district at any time?

Mr. BOUDIN. Objection.

Senator, may I say the objection, as I understand the proceeding before the grand jury, even the appearance, under the federal rules of criminal procedure and the Constitution, are not a matter that a congressional committee can go into. I think that there are several decisions on the subject involving the sanctity of the grand jury's proceedings.

Mr. COHN. I would like to know one decision that says appearance before the grand jury—it is a public record.

Mr. BOUDIN. That is of no value unless you intend to ask something regarding the subject matter. Under the decision of Judge

Winfield in this district, as you know from your own experience, that question is improper.

Mr. COHN. You mean the district court?

Mr. BOUDIN. Yes, and he made the only decision in this district or any other district on that subject, dealing with a case in which you made a presentment or you handled a presentment of a grand jury, and that was held to be improper.

The CHAIRMAN. The question was: Did you ever appear before a grand jury, and I think that is a proper question and the witness will be ordered to answer.

Mr. LEVITSKY. Yes, I did.

The CHAIRMAN. You asked the witness whether he has ever engaged in espionage against the United States, and I would suggest you reframe that question and ask him if he was ever engaged in espionage, and then go down to the document question.

Mr. COHN. Were you ever engaged in espionage?

Mr. LEVITSKY. I have already answered that question, I believe.

Mr. COHN. It is being asked again.

Mr. LEVITSKY. I said no.

Mr. COHN. Did you ever take any papers or documents at any time when you were working with the Signal Corps?

Mr. LEVITSKY. What does that mean, did I ever take any documents?

Mr. COHN. You can consult with counsel any time you wish.

Mr. LEVITSKY. Yes.

Mr. COHN. The question is: Did you ever, in an unauthorized manner, take any documents while you were working with the United States Signal Corps?

Mr. LEVITSKY. Take them where?

The CHAIRMAN. Out of the building in which they were located. Do you understand the question? Did you ever take any classified documents out of the place where they were properly located?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I do not know the meaning of the question.

[The witness consulted with his counsel.]

Mr. LEVITSKY. I was upon occasion sent out from where I worked to places where equipment was located in the field, and on those occasions I probably did take some classified information with me in order to help me work on this equipment in the field.

Mr. COHN. Were you authorized to remove that classified material?

Mr. LEVITSKY. In those cases, as far as I know—

Mr. COHN. My question was not applied to that. My question applies to testimony concerning you, and what I want to know is whether or not—let me ask you a preliminary question. Were you ever stationed down in Philadelphia?

Mr. LEVITSKY. Yes.

Mr. COHN. What were you doing down in Philadelphia, with the Signal Corps?

Mr. LEVITSKY. What I was doing at Philadelphia?

Mr. COHN. Yes.

Mr. LEVITSKY. I was stationed at RCA.

Mr. COHN. Assigned to inspection for the Signal Corps?

Mr. LEVITSKY. Yes, sir.

Mr. COHN. The question now is—I will make this specific. While you were in Philadelphia, did you remove certain classified documents and give them to a member of the Communist party?

Mr. LEVITSKY. To the best of my recollection, I never did.

Mr. COHN. Did you ever give any documents of any nature to a member of the Communist party while you were with the Army Signal Corps?

Mr. BOUDIN. Could the question be repeated?

Mr. COHN. Read the question.

[The question was read by the reporter.]

Mr. BOUDIN. Could I ask a clarifying question?

The CHAIRMAN. No. If the witness cannot understand it, he can ask for it to be clarified.

I will say that we have a rule that counsel does not take part in the proceedings, as we get long-winded counsel who will delay the proceedings a great deal. I am not accusing you of being long-winded, but we have a rule that applies to all counsel.

If the witness cannot understand the question, he can ask to have it repeated.

Mr. LEVITSKY. I never gave any documents of any nature in violation of regulations.

The CHAIRMAN. The question is: Did you ever give any documents to the Communist party while you were working for the Signal Corps? It is a very simple question.

Mr. LEVITSKY. I plead the Fifth on that.

Mr. COHN. What is your answer?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. COHN. You refuse to answer the question?

Mr. LEVITSKY. Yes.

Mr. COHN. On the ground the answer might tend to incriminate you?

Mr. LEVITSKY. Yes, sir.

Mr. COHN. Are you a member of the Communist party today?

Mr. LEVITSKY. No.

Mr. COHN. Were you a member of the Communist party at all times while you were employed by the Army Signal Corps?

Mr. LEVITSKY. I plead the Fifth Amendment to that.

Mr. COHN. Were you a member of the Communist party in 1943 when you left the Signal Corps?

Mr. LEVITSKY. Would you please repeat the question?

Mr. COHN. Read the question.

[The question was read by the reporter.]

Mr. LEVITSKY. I plead the Fifth Amendment on that.

The CHAIRMAN. Did you ever engage in any illegal activities, either on behalf of or in connection with or under the instructions of the Communist party?

[The witness conferred with his counsel.]

Mr. LEVITSKY. Not to my knowledge.

The CHAIRMAN. Then you are ordered to answer counsel's question. If you have not done anything illegal in connection with the Communist party, you cannot plead the Fifth Amendment on the counsel's question whether you were a member when you left the Signal Corps. You are ordered to answer the question.

Mr. LEVITSKY. I stand on the Fifth Amendment in answer to the other question.

The CHAIRMAN. To your knowledge, does the Communist party advocate the overthrow of our government by force and violence?

Mr. LEVITSKY. The Fifth Amendment.

Mr. BOUDIN. I assume it is understood when the witness says the Fifth Amendment, he means the constitutional privilege against self-incrimination, and doesn't have to go through the terminology.

The CHAIRMAN. Were you a member of the Communist party in 1944?

Mr. LEVITSKY. The Fifth Amendment.

The CHAIRMAN. In 1945?

Mr. LEVITSKY. The Fifth Amendment.

The CHAIRMAN. In 1946?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. In 1947?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. In 1948?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Fifth.

The CHAIRMAN. 1949?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth Amendment on any question of the past.

The CHAIRMAN. In 1950?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. 1951?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. 1952?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. 1953?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth on that. As I stated before, I am not a member today.

The CHAIRMAN. Were you a member of the Communist party when you were called before the grand jury?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Fifth.

The CHAIRMAN. Were you a member of the Communist party last week?

Mr. LEVITSKY. Fifth.

The CHAIRMAN. You are refusing to tell us whether you were a member of the Communist party last week on the ground that a truthful answer to that question might tend to incriminate you, is that correct?

Mr. LEVITSKY. That is right.

The CHAIRMAN. You understand, of course, that unless you honestly feel that a truthful answer might tend to incriminate you, you are not entitled to avail yourself of the privilege of the Fifth Amendment.

Mr. LEVITSKY. Yes.

The CHAIRMAN. Do you know any members of the Communist party who are as of today working for the Signal Corps?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth Amendment on that.

The CHAIRMAN. Since you left the Signal Corps, have you ever attended Communist party meetings which were also attended by people who were working in the Signal Corps at that time?

Mr. LEVITSKY. I plead the Fifth Amendment on that.

The CHAIRMAN. Did you ever attend meetings with members of the Communist party where there was discussed the removal of classified material from the Signal Corps and the turning of that classified material over to the members of the Communist party, or Communist espionage agents?

Mr. LEVITSKY. I plead the Fifth Amendment to all questions of attendance at Communist party meetings.

The CHAIRMAN. You will have to plead it to the specific question. We do not allow any blanket use of the Fifth Amendment. I understand you are refusing to answer that question on the ground a truthful answer might tend to incriminate you, is that correct?

Mr. LEVITSKY. Yes.

Mr. BOUDIN. Could I have the senator repeat the last question, because I got a little involved here in following it.

The CHAIRMAN. Will the reporter read the last question and answer.

[The record was read by the reporter as requested.]

Mr. BOUDIN. I think the witness wants to consider that, and could I have a moment, Senator?

[The witness consulted with his counsel.]

Mr. BOUDIN. The witness would like to answer the question if it could be repeated once more, if the senator will indulge me.

[The question was reread by the reporter.]

Mr. LEVITSKY. No, I never attended such a meeting.

The CHAIRMAN. You never attended such a meeting?

Mr. LEVITSKY. No.

The CHAIRMAN. Did you understand the question before when you refused to answer it? You just refused to answer that question on the ground that a truthful answer might tend to incriminate you, and did you not understand the question?

Mr. LEVITSKY. I didn't understand the full question, and I changed my reply to that question.

The CHAIRMAN. You are changing it because you did not understand the question?

Mr. LEVITSKY. That is right.

The CHAIRMAN. You have a right to change your answer if you did not understand the question.

Did you ever hear anyone discuss the removal of classified material from the Signal Corps and the turning of that material over to persons who were not entitled to it?

Mr. LEVITSKY. No, I never did.

The CHAIRMAN. Did you know of anyone who removed classified material from the Signal Corps without authorization?

Mr. LEVITSKY. No, I never did.

Mr. COHN. In 1943, where did you go when you left the Signal Corps? Where did you go when you left the Signal Corps?

Mr. LEVITSKY. You mean where I worked? The Federal Telecommunication Labs.

Mr. COHN. For how long a period of time did you work for the Federal Telecommunication Labs? How long did you work in that lab?

Mr. LEVITSKY. From 1943 to 1953.

Mr. COHN. Until this year?

Mr. LEVITSKY. That is right.

Mr. COHN. Until what month of this year were you with the Federal Telecommunication?

Mr. LEVITSKY. February.

Mr. COHN. Was there any classified material around there?

Mr. LEVITSKY. Yes, there was.

Mr. COHN. And while you were working there up through February of this year, were you a member of the Communist party?

Mr. LEVITSKY. I have already pleaded the Fifth on any question regarding membership in the Communist party.

Mr. COHN. What is your answer?

Mr. LEVITSKY. I plead the Fifth.

Mr. COHN. Now, can you name for us any other members of the Communist party who were working at the Federal Telecommunications Lab in February of this year?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. COHN. Did you attend Communist party meetings with any of your fellow employees at the Federal Telecommunications Lab?

Mr. LEVITSKY. I plead the Fifth.

Mr. COHN. Did you leave that laboratory voluntarily?

Mr. LEVITSKY. Yes.

Mr. COHN. You resigned?

Mr. LEVITSKY. Yes.

Mr. COHN. You did not leave it as a result of any loyalty charges?

Mr. LEVITSKY. No.

Mr. COHN. Were any charges brought against you when you were with the Signal Corps?

[The witness consulted with his counsel.]

Mr. LEVITSKY. No charges were filed against me.

Mr. COHN. I didn't get the last answer.

Mr. LEVITSKY. No charges were filed against me.

Mr. COHN. No charges were brought against you by the Signal Corps or when you were with the Federal Telecommunications Company?

Mr. LEVITSKY. That is right.

Mr. COHN. Where have you worked since February of 1953?

Mr. LEVITSKY. At the Telechron Corporation.

Mr. COHN. Are you still employed there?

Mr. LEVITSKY. Yes, sir.

Mr. COHN. Do they do any government work?

Mr. LEVITSKY. No, sir.

Mr. COHN. Of no kind at all?

Mr. LEVITSKY. Not to my knowledge.

Mr. COHN. You have never worked on it, is that right?

Mr. LEVITSKY. I never worked on government work there.

The CHAIRMAN. What kind of work do you do?

Mr. LEVITSKY. I design components for television receivers right now.

The CHAIRMAN. When you were working for Telecommunications, who was your immediate boss?

Mr. LEVITSKY. The last one—there were quite a few.

The CHAIRMAN. The last one.

Mr. LEVITSKY. The most recent one, Sidney Metzger.

The CHAIRMAN. Did Sidney Metzger ever attend any Communist party meetings, to your knowledge?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth Amendment on that question.

The CHAIRMAN. I want to inform you of something now which you may or may not have known. We do not intend to allow people to plead the Fifth Amendment for the purpose of unfairly discrediting any other individual. If we ever get proof that you knew of no Communist party meetings that Metzger attended, that means that you are improperly pleading the Fifth Amendment and it means you are in contempt of this committee. So that unless you know of Communist party meetings that Metzger attended, you are not entitled to plead the Fifth Amendment, and that applies to anyone who asks you about it, because if you know of no Communist party meeting he attended, it would not incriminate you to tell us that; and we intend, before we get through with some of you gentlemen, to teach you a little more about the Fifth Amendment and let you know that you cannot play with it, and I will ask you the question again so that you will know the possibility of your pleading ignorance or a mistake or did not understand the question, at some future legal proceedings.

To your knowledge, did Metzger ever attend Communist party meetings?

[The witness consulted with his counsel.]

Mr. LEVITSKY. All right, I have reconsidered my answer, and the answer is no.

The CHAIRMAN. Did you ever discuss the aims of communism with Metzger?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Not to my recollection.

The CHAIRMAN. Did Metzger know that you appeared before the grand jury and did he know what you were questioned about before the grand jury?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Not to my knowledge, he didn't.

The CHAIRMAN. Did any of your immediate superiors in Telecommunications, to your knowledge, ever attend meetings of the Communist party?

Mr. LEVITSKY. Not to my knowledge.

The CHAIRMAN. Were any of your co-workers at Telecommunications, to your knowledge, members of the Communist party?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Could you please repeat the question? I am sorry.

The CHAIRMAN. Were any of your co-workers at Telecommunications, to your knowledge, members of the Communist party?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. To your knowledge, are there Communists still working in Telecommunications?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. Mr. Levitsky, you have been in contact since you left the Signal Corps with people in the Signal Corps?

Mr. LEVITSKY. Just what do you mean by that?

Mr. SCHINE. Let me rephrase the question: Since you left the Signal Corps, have you been in contact with people working for the Signal Corps?

Mr. LEVITSKY. Yes, I have.

Mr. SCHINE. Are any of these individuals members of the Communist party?

[The witness consulted with his counsel.]

Mr. LEVITSKY. Could you please repeat the question?

Mr. SCHINE. Were any of these individuals members of the Communist party?

Mr. LEVITSKY. To the best of my knowledge, they were not.

Mr. SCHINE. Would you give the committee the names of the individuals with the Signal Corps that you have been in contact with since you left the Signal Corps?

Mr. LEVITSKY. They are Markus Epstein—

Mr. SCHINE. When were you in contact with him?

Mr. LEVITSKY. When was the last time I saw him, you mean?

Mr. SCHINE. Yes.

Mr. LEVITSKY. About a year or so ago.

Mr. SCHINE. Would you continue giving the names, please?

Mr. LEVITSKY. Carl Greenblum.

Mr. SCHINE. Spell the last name, please.

Mr. LEVITSKY. G-r-e-e-n-b-l-u-m.

Mr. SCHINE. When were you in contact with him?

Mr. LEVITSKY. I believe I last saw him about a year and a half ago, or so, and I don't recall exactly.

Mr. SCHINE. And the other names of individuals you have been in contact with?

Mr. LEVITSKY. Isadore Hodes, H-o-d-e-s.

The CHAIRMAN. May I ask, did you receive any classified material from any of the individuals you have just named since you left the Signal Corps?

[The witness consulted with his counsel.]

Mr. LEVITSKY. No, I haven't.

Mr. SCHINE. Mr. Levitsky, you know Julius Rosenberg?

Mr. LEVITSKY. Yes.

Mr. SCHINE. Will you give us the story on your meeting with Julius Rosenberg?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I met him when I started working for the Signal Corps in 1940.

Mr. SCHINE. He was an inspector at that time?

Mr. LEVITSKY. He was an inspector too, that is right. Then I saw him several times at Fort Monmouth where I attended training school for about a month, in that year.

Mr. LEVITSKY. You know him on a social basis, did you?

Mr. LEVITSKY. Well, I don't know what that means. When I was at RCA, we shared the same car pool going back and forth from Camden to Philadelphia.

Mr. SCHINE. Will you tell us the names of the other individuals in that car pool?

Mr. LEVITSKY. There were Markus Epstein and Carl Greenblum.

Mr. SCHINE. And you saw him from time to time through the years?

Mr. LEVITSKY. Just what do you mean by that?

Mr. SCHINE. You met Julius Rosenberg over the years after you first knew him? When did you first meet Julius Rosenberg?

Mr. LEVITSKY. I am pretty sure it was when I first went to work for the Signal Corps.

Mr. SCHINE. And you met him from that time on, over the years, on a number of occasions?

Mr. LEVITSKY. The last time I saw him was in 1943.

Mr. SCHINE. Did you attend Communist party meetings with Julius Rosenberg?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. You knew Morton Sobell?

Mr. LEVITSKY. To the best of my knowledge, I didn't.

The CHAIRMAN. May I interrupt? How long did you share in this car pool?

Mr. LEVITSKY. A period of about six months or so.

The CHAIRMAN. And you would ride back and forth how often?

Mr. LEVITSKY. Every day from Philadelphia to Camden.

The CHAIRMAN. And the other two men were Marcus Epstein and Carl Greenblum?

Mr. LEVITSKY. That is right.

The CHAIRMAN. Did Greenblum and Epstein also ride every day?

Mr. LEVITSKY. Not exactly. There was a period there when people would leave the RCA and go somewhere else, and then they would come back, and I do not recall.

Mr. COHN. They comprised the core—

Mr. LEVITSKY. Those were the people, regular riders.

The CHAIRMAN. How many times would you say Markus Epstein had ridden back and forth? I know you cannot remember the exact number.

Mr. LEVITSKY. Maybe fifty times, maybe sixty times.

The CHAIRMAN. How about Greenblum, roughly the same?

Mr. LEVITSKY. Greenblum probably much less, because he left RCA, I think—I am not sure of this, but I think he left RCA in 1940 sometime, and went on another job.

The CHAIRMAN. How many months would you say he shared in that?

Mr. LEVITSKY. Perhaps two months; I am not sure of these answers, now, and I don't recall the exact dates.

Mr. COHN. To the best of your recollection?

Mr. LEVITSKY. Yes.

The CHAIRMAN. Did you know that either Rosenberg or Epstein or Greenblum were members of the Communist party?

Mr. LEVITSKY. The Fifth.

The CHAIRMAN. Did you ever attend any Communist party meetings with Greenblum?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Did you ever discuss either communism or espionage in those rides back and forth?

Mr. LEVITSKY. Would you please rephrase the question?

The CHAIRMAN. We will break up the two parts of the question. There are two questions in one, I believe. The question is: Did you ever discuss communism with Rosenberg, Epstein and Greenblum while you were riding on these trips in this car pool?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Did you ever discuss with Rosenberg any espionage work in which he was engaged?

Mr. LEVITSKY. No, I didn't.

The CHAIRMAN. Did you ever discuss with either Epstein, Greenblum, or Rosenberg, the removal of classified material from either Signal Corps or any other government agency?

Mr. LEVITSKY. No, I didn't.

The CHAIRMAN. Did you know that Rosenberg was engaged in espionage?

Mr. LEVITSKY. No, I didn't.

The CHAIRMAN. Did you know he was a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Did you ever attend a Communist party meeting with Greenblum?

[The witness consulted with his counsel.]

Mr. LEVITSKY. You already asked that question, I believe.

The CHAIRMAN. I will ask it again, then.

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. How about Epstein?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Is Greenblum still working in the Signal Corps, to your knowledge?

Mr. LEVITSKY. I believe he is.

The CHAIRMAN. When have you last had contact with him? When have you last talked to him or seen him?

Mr. LEVITSKY. I am not sure. I think it was about a year ago, or so.

The CHAIRMAN. Did you talk to him since you or he were notified to appear before this committee?

Mr. LEVITSKY. No.

The CHAIRMAN. You did not?

Mr. LEVITSKY. No.

The CHAIRMAN. You did not discuss your testimony with Greenblum?

Mr. LEVITSKY. I beg your pardon.

The CHAIRMAN. You did not discuss your testimony with Greenblum?

Mr. LEVITSKY. I did not discuss my testimony with Greenblum? Which testimony are you talking about?

The CHAIRMAN. The testimony you were to give here.

Mr. LEVITSKY. No.

The CHAIRMAN. You asked me which testimony. Did you discuss with Greenblum any testimony which you ever gave before a committee or a grand jury?

Mr. LEVITSKY. No, I did not.

The CHAIRMAN. Did you ever visit the Rosenberg home? I am speaking of Julius Rosenberg now.

[The witness consulted with his counsel.]

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Were you ever present in the Rosenberg home when Greenblum was also present?

[The witness consulted with his counsel.]

Mr. LEVITSKY. No.

The CHAIRMAN. Did you ever attend any social gatherings at which both Rosenberg and Greenblum were present?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I do not recall any such gatherings; I am sorry, I have to rephrase that.

The CHAIRMAN. You may rephrase your answer if you care to.

Mr. LEVITSKY. Could you please repeat that question?

The CHAIRMAN. Did you ever attend any social gatherings at which both Greenblum and Rosenberg were present?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Then you want us to strike your previous answer and have this answer stand?

Mr. LEVITSKY. Yes.

The CHAIRMAN. Do you feel a truthful answer to that might tend to incriminate you?

Mr. LEVITSKY. Yes.

The CHAIRMAN. As a matter of fact, didn't you and Greenblum and Rosenberg and Epstein, when you were riding in this car, in this pool back and forth, freely discuss your membership in the Communist party, and did you not know that all three of the other men were Communists? Is that not actually a fact?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. Mr. Levitsky, is this Markus Epstein the same Epstein that you gave as a reference when you took a position with the Signal Corps?

Mr. LEVITSKY. Yes.

Mr. SCHINE. And this Carl Greenblum is the same Carl Greenblum you gave as a reference when you took a position with the Signal Corps?

Mr. LEVITSKY. I beg your pardon, I did not give them any references when I took a position with the Signal Corps. The answer to both questions is no, I am sorry.

Mr. SCHINE. When did you give them as references?

Mr. LEVITSKY. I don't recall whom I gave as references a long time ago.

Mr. SCHINE. May I refresh your memory? On March 28, 1942, these two individuals were among references you gave, and what was the occasion of this giving of references?

Mr. LEVITSKY. I don't recall giving references on that particular date, on March 28, 1942.

Mr. SCHINE. Were you applying for a position around that time?

Mr. LEVITSKY. No, to the best of my recollection I was not. Just what do you have in mind? I don't understand.

Mr. SCHINE. And you say you did not give these references when you applied for a position in the Signal Corps?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I was employed in the Signal Corps in 1942. How could I apply for a position?

Mr. SCHINE. Did you give them as references for any application for transfer or promotion or in connection with any step involved in the promotion?

Mr. LEVITSKY. I don't recall. I may have, and I don't recall any such references.

The CHAIRMAN. At the time you gave Greenblum as a reference, did you know whether he was a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth Amendment on that.

Mr. COHN. Did he know you were a member?

Mr. LEVITSKY. I plead the Fifth Amendment on that.

Mr. SCHINE. Did you know that Bernard Klean was a member of the Communist party when you gave him as a reference at the same time?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. What about Charles Gogolick?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. And how about Isadore Hodes?

[The witness consulted with his counsel.]

Mr. SCHINE. At the time you gave Mr. Hodes as a reference, did you know he was a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. COHN. Do any of these three people whose names have just been read to you work for the Signal Corps, Gogolick, and so on, or did they at any time?

Mr. LEVITSKY. Hodes did.

Mr. COHN. Does he work there today?

Mr. LEVITSKY. To the best of my knowledge, no.

Mr. SCHINE. What was his position with the Signal Corps?

Mr. LEVITSKY. The same position as mine.

The CHAIRMAN. Where does Hodes work now?

Mr. LEVITSKY. I beg your pardon?

The CHAIRMAN. Where does he work now?

Mr. LEVITSKY. I don't know.

The CHAIRMAN. When did you last see him?

Mr. LEVITSKY. About four or five years ago.

Mr. COHN. What were the circumstances of your meeting with Greenblum the last time you saw him about a year ago?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I visited at his house.

Mr. COHN. You were at his house in New Jersey?

Mr. LEVITSKY. His house in New Jersey, yes, sir.

Mr. COHN. Where does he live in New Jersey?

Mr. LEVITSKY. Somewhere near Asbury Park.

Mr. COHN. When were you last in communication with Greenblum?

Mr. LEVITSKY. As I said, I don't recall exactly. Something like a year ago.

Mr. COHN. Have you talked to him directly or indirectly since that time?

Mr. LEVITSKY. No.

Mr. COHN. On the telephone?

Mr. LEVITSKY. No, sir.

Mr. COHN. Corresponded with him?

Mr. LEVITSKY. No.

Mr. COHN. What was the——

Mr. LEVITSKY. One correction. He sent me an announcement of a birth of a child, which I did not answer.

Mr. COHN. You say you did not answer. Is there any particular reason for your not answering?

Mr. LEVITSKY. Just a slip.

Mr. COHN. There has been no rift between you; it has just been lack of attention?

Mr. LEVITSKY. That is right.

Mr. COHN. Prior to that social call a year ago, when did you see Greenblum before that?

Mr. LEVITSKY. Probably about a year before that.

Mr. COHN. About a year before that?

Mr. LEVITSKY. Yes, sir.

Mr. COHN. Another social call?

Mr. LEVITSKY. That is right.

Mr. COHN. Did Greenblum know at the time you were at his home a year ago that you were a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth.

Mr. COHN. Was he a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth.

[The witness consulted with his counsel.]

Mr. SCHINE. Mr. Levitsky, do you know a Bernard Martin, known as Bob Martin?

Mr. LEVITSKY. To the best of my recollection, no.

Mr. SCHINE. Do you know a Mr. Ducore?

Mr. LEVITSKY. To the best of my knowledge, no.

Mr. SCHINE. Or Mr. Coleman?

Mr. LEVITSKY. To the best of my knowledge, no.

Mr. COHN. Do you know Morton Sobell?

Mr. LEVITSKY. To the best of my knowledge, no.

The CHAIRMAN. Where did you go to college?

Mr. LEVITSKY. Cooper Union.

The CHAIRMAN. When did you graduate?

Mr. LEVITSKY. In 1935.

The CHAIRMAN. Is that an engineering college?

Mr. LEVITSKY. That is right.

Mr. COHN. I wanted to ask you this: You say there was no loyalty feature whatsoever connected with your leaving this Federal Telecommunications Lab?

[The witness consulted with his counsel.]

Mr. COHN. Interpret the question broadly on that.

Mr. LEVITSKY. I said I was not charged with anything.

Mr. COHN. There seemed to be some consideration. Was there any reservation in your mind on that question? Did it enter into it in any way at all, and was there any discussion about it?

Mr. LEVITSKY. I wish you would be a little more specific.

Mr. COHN. I am trying to find out. I am trying to go into the circumstances for your leaving, the reason, which has nothing to do with you. I am trying to go into the circumstances of your leaving. I want to know, was it a purely voluntary resignation on your part, or did it have any connection in any way with any charge of loyalty or security or anything along those lines?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I was asked by my employer whether I had known Rosenberg in the past.

Mr. COHN. They were doing classified government work there, was that right?

Mr. LEVITSKY. They were, but I was not. There was some classified work being done there, but I was not doing classified work.

Mr. COHN. But it was done in the same vicinity in which you worked?

The CHAIRMAN. Did you have access to classified material at Telecommunications?

Mr. LEVITSKY. Yes.

The CHAIRMAN. If you wanted to steal the classified material, you could?

Mr. LEVITSKY. Not very readily, no, I couldn't. There are guards over there, and they examine what you took out.

The CHAIRMAN. If you put same classified material in your inside pocket, would the guards go through your clothes and check it?

Mr. LEVITSKY. It never occurred to me.

The CHAIRMAN. I am not asking you whether you ever did it. I am asking you whether you could do it.

[The witness consulted with his counsel.]

Mr. LEVITSKY. I don't know. I never tried. I don't know if I could get away with it.

The CHAIRMAN. Were you searched every night when you went out?

Mr. LEVITSKY. No, I was not searched, but any handbag I had was looked into.

The CHAIRMAN. How about your pockets?

Mr. LEVITSKY. No.

The CHAIRMAN. They never went through your pockets?

Mr. LEVITSKY. No.

The CHAIRMAN. So if you wanted to pick up classified material, top secret material, and put it in your pocket, you would not be searched for that?

Mr. LEVITSKY. I said I had some access to classified material, and I did not have access to top secret material.

The CHAIRMAN. How about secret material?

Mr. LEVITSKY. No, I don't think I had any access to secret material.

The CHAIRMAN. You do not think. Do you ever recall having seen any secret material?

Mr. LEVITSKY. I don't recall ever having, that is, at Federal.

The CHAIRMAN. Or confidential?

Mr. LEVITSKY. Yes, confidential I did.

The CHAIRMAN. If you wanted to remove the confidential material, you could have done so?

Mr. LEVITSKY. I don't know. I never tried.

The CHAIRMAN. Do you know whether there was anything to prevent your picking up a confidential document and putting it in your pocket?

Mr. LEVITSKY. I don't know that.

The CHAIRMAN. You know of nothing that would have prevented you from doing that?

Mr. LEVITSKY. I don't know.

[The witness consulted with his counsel.]

Mr. LEVITSKY. I have no knowledge on the subject.

The CHAIRMAN. Pardon me?

Mr. LEVITSKY. I have no knowledge on the subject.

The CHAIRMAN. Do you have any knowledge of anything that would have prevented you from stealing confidential material if you wanted to? It is a very simple question. You were in the plant, and I am asking you, was there anything to prevent you from having stolen classified material if you wanted to steal it?

Mr. LEVITSKY. I don't know.

The CHAIRMAN. You do not know?

Mr. LEVITSKY. I do not know if anything could have prevented me from doing that or not.

Mr. SCHINE. Mr. Levitsky, you were nineteen years old in 1931?

Mr. LEVITSKY. Yes.

Mr. SCHINE. Were you a member of the Communist party at that time?

[The witness consulted with his counsel.]

The CHAIRMAN. Or the Young Communist League?

Mr. LEVITSKY. The Fifth Amendment on that.

Mr. SCHINE. You were born in Russia?

Mr. LEVITSKY. That is right.

Mr. SCHINE. And you entered the United States through Canada when you were ten years old?

Mr. LEVITSKY. That is right.

Mr. SCHINE. What is your father's name?

Mr. LEVITSKY. Moses.

Mr. SCHINE. Is he still living?

Mr. LEVITSKY. Yes, sir.

Mr. SCHINE. Where is your father now?

Mr. LEVITSKY. He is in Brooklyn.

Mr. SCHINE. In Brooklyn?

Mr. LEVITSKY. Yes, sir.

Mr. SCHINE. Did he enter the United States at the same time you did?

Mr. LEVITSKY. Yes.

Mr. SCHINE. And you both became citizens around that time?

Mr. LEVITSKY. Well, a little later.

Mr. SCHINE. Is your father a member of the Communist party?

Mr. LEVITSKY. [The witness consulted with his counsel.] To the best of my knowledge, no.

Mr. SCHINE. Is any member of your family, any relative, a member of the Communist party?

Mr. LEVITSKY. I plead the Fifth on that.

Mr. SCHINE. Does any other member of your family besides yourself work for the government or has any other member of your family besides yourself worked for the United States government?

[The witness consulted with his counsel.]

Mr. LEVITSKY. You mean immediate relative?

Mr. SCHINE. Any member of your family, relative, or in-laws.

The CHAIRMAN. Do any of your brothers or sisters work for the United States government?

[The witness consulted with his counsel.]

Mr. LEVITSKY. I believe my brother for a short time had a part-time job with the government.

The CHAIRMAN. Where did he work?

Mr. LEVITSKY. I believe it was somewhere around Ann Arbor.

The CHAIRMAN. For what branch of the government?

Mr. LEVITSKY. I don't know. I don't know what branch.

Mr. SCHINE. What is your brother's name?

Mr. LEVITSKY. Abraham Levitsky.

Mr. SCHINE. Is he a member of the Communist party or has he ever been?

Mr. LEVITSKY. I plead the Fifth on that.

The CHAIRMAN. Where does your brother live now?

Mr. LEVITSKY. He is in Ann Arbor.

The CHAIRMAN. Ann Arbor, Michigan?

Mr. LEVITSKY. Yes, sir.

The CHAIRMAN. What does he work at?

Mr. LEVITSKY. I don't know what he is working at the moment.

The CHAIRMAN. When have you last seen him?

Mr. LEVITSKY. I saw him eight months ago.

The CHAIRMAN. What was he working at then?

Mr. LEVITSKY. He was working as a psychologist with some hospital, and I don't know exactly what it was.

The CHAIRMAN. Was he teaching?

Mr. LEVITSKY. To the best of my recollection, no.

The CHAIRMAN. You say that aside from this one brother, none of your other brothers or sisters have ever worked for the government?

Mr. LEVITSKY. No. I am pretty sure they didn't.

The CHAIRMAN. How old is your family, your sons and daughters, if any?

Mr. LEVITSKY. My daughter is five, and my son is one and a half.

The CHAIRMAN. Has your wife ever worked for the government?

Mr. LEVITSKY. To the best of my recollection, no.

The CHAIRMAN. I think that that is all. You will consider yourself under subpoena, Mr. Levitsky, and we will want you back again. To save the staff the expense and trouble and save you the trouble of being served, we will just notify your counsel when you are wanted.

Mr. BOUDIN. That is all right.

The CHAIRMAN. Mr. Counsel, may I say that the next appearance may possibly be in Washington, I do not know, and we will try to accommodate the lawyers as much as we can so if you are busy in court on the date he is called, we will contact you through the staff and we will try and work it out.

Raise your right hand.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ULLMAN. I do.

TESTIMONY OF WILLIAM LUDWIG ULLMAN

Mr. COHN. Could we have your full name?

Mr. ULLMAN. William Ludwig Ullman.

Mr. COHN. Where do you reside?

Mr. ULLMAN. Harvey Cedars, New Jersey.

Mr. COHN. Have you ever worked for the United States government?

Mr. ULLMAN. Yes, I have.

Mr. COHN. Would you tell us briefly in what capacity?

Mr. ULLMAN. I worked in the Resettlement Administration, and before that in the NRA, as a code examiner, and I worked at the treasury in economics.

Mr. COHN. You worked for the air force, too, did you not?

Mr. ULLMAN. And then I was in the army, and I worked for the air force, and then back to the treasury.

Mr. COHN. When you say you were in the army, you were in the army or in the air force?

Mr. ULLMAN. I was in the air force.

Mr. COHN. During what years?

Mr. ULLMAN. 1943 to 1945.

Mr. COHN. And where were you stationed? In Washington?

Mr. ULLMAN. At Washington, except when I was at OCS.

Mr. COHN. Where did you go to OCS?

Mr. ULLMAN. Miami Beach.

Mr. COHN. Now, what did you do in 1945 when you got out of the air force?

Mr. ULLMAN. I went back to the Treasury Department.

Mr. COHN. When you were in the air force, did you have any connection with the air force laboratory in Eatontown, New Jersey?

Mr. ULLMAN. Not that I know of.

Mr. COHN. Did you ever see any documents coming from the air force laboratory, the Watson Laboratory at Eatontown, New Jersey?

Mr. ULLMAN. To the best of my knowledge, I never did.

Mr. COHN. And while you were with the air force, did you ever see any documents dealing with radar?

Mr. ULLMAN. I may have seen some dealing with numbers.

Mr. COHN. Did you see any dealing with—did you ever give any such documents to any member of the Communist party?

Mr. ULLMAN. I refuse to answer that question.

Mr. COHN. On what ground?

Mr. ULLMAN. On the grounds of the protection afforded me by the Fifth Amendment.

Mr. COHN. Did you ever engage—I will ask you specifically—did you ever, with reference to these radar documents, engage in espionage against the United States?

Mr. ULLMAN. I refuse to answer that question on the same grounds.

Mr. COHN. What was your rank when you left the air force?

Mr. ULLMAN. Major.

Mr. COHN. You were a major, is that right?

Mr. ULLMAN. Yes, sir.

Mr. COHN. Who was your immediate superior?

Mr. ULLMAN. When I left the air force, I am not sure, but I think it was Colonel Dyson.

Mr. COHN. How do you spell his name?

Mr. ULLMAN. D-y-s-o-n.

Mr. COHN. Now, while you had access to classified material you had access to classified information of various varieties, did you not?

Mr. ULLMAN. Yes, sir.

Mr. COHN. While you had access to this classified information—and that includes these things I was asking you about—were you a member of the Communist party?

Mr. ULLMAN. I refuse to answer that question on the same grounds as stated before.

Mr. COHN. Were you specifically a member of a Communist spy ring?

Mr. ULLMAN. I refuse to answer that question on the same grounds as stated before.

Mr. COHN. What are you doing now, by the way?

Mr. ULLMAN. Building houses.

Mr. COHN. Have you ever visited the Signal Corps installation at Fort Monmouth?

Mr. ULLMAN. No.

Mr. COHN. Do you know anybody who works there?

Mr. ULLMAN. To my best knowledge, I do not.

Mr. COHN. Have you ever known of anyone who worked there?

Mr. ULLMAN. To my best knowledge, I have not.

Mr. COHN. Have you ever known anyone who worked at the Watson Laboratory at Eatontown?

Mr. ULLMAN. To my best knowledge, I have not.

The CHAIRMAN. Are you a member of the Communist party as of today?

Mr. ULLMAN. I refuse to answer that question on the same grounds.

The CHAIRMAN. Have you engaged in espionage within the past year?

Mr. ULLMAN. I refuse to answer that question on the same grounds as stated before.

The CHAIRMAN. Have you been associated, over the past two months, with individuals known to you as members of the Communist party, and also known as being engaged in espionage?

Mr. ULLMAN. I refuse to answer that question on the same grounds as stated before.

The CHAIRMAN. Do you feel a truthful answer to that question might tend to incriminate you?

Mr. ULLMAN. Well, in my judgment, I refuse to answer that question.

The CHAIRMAN. You will not be entitled to that protection of the Fifth Amendment unless you feel that a truthful answer might tend to incriminate you, so I will ask you the question: Do you feel a truthful answer to that question would tend to incriminate you? Just so you will understand the position of the chair, Mr. Ullmann, you are entitled to the protection of the Fifth Amendment, which protects you against incriminating yourself, if you have engaged in criminal activities. You are not entitled to refuse to answer, however, if perjury would incriminate you, and therefore before we can determine whether you are entitled to the privilege of the Fifth Amendment, I must ask you the question: Do you feel that a truth-

ful answer would tend to incriminate you? I therefore ask you that question.

Mr. ULLMAN. Well, that is a question of opinion. It is a question of opinion in my mind, and to my best judgment I still refuse to answer the question.

The CHAIRMAN. You refuse to answer whether you feel a truthful answer would tend to incriminate, you?

Mr. ULLMAN. Yes.

The CHAIRMAN. Then you are ordered to answer the original question.

Mr. ULLMAN. The original question?

The CHAIRMAN. You mean you are refusing to answer whether you feel a truthful answer would tend to incriminate you, is that correct?

Mr. ULLMAN. Well, I was still refusing to answer the original question.

The CHAIRMAN. Just so the record will be completely clear, I will re-ask you the question, both questions: During the past two months, have you been associated with individuals known to you as members of the Communist party and engaged in espionage?

What is your answer to that?

Mr. ULLMAN. Well, I feel I have to refuse to answer that question on the grounds that it might tend to incriminate me.

The CHAIRMAN. Do you feel a truthful answer to that question might tend to incriminate you?

Mr. ULLMAN. Yes, sir.

The CHAIRMAN. Then you are entitled to the privilege. Did you know Harry Dexter White when you worked in the treasury?

Mr. ULLMAN. Yes, I did.

The CHAIRMAN. Did Harry Dexter White get you your job, or recommend you for the job in the treasury?

Mr. ULLMAN. I don't remember whether he did or not, I worked in his division.

The CHAIRMAN. Did you know that he was an espionage agent at that time?

Mr. ULLMAN. I refuse to answer that question on the grounds it might tend to incriminate me.

The CHAIRMAN. Do you know Mr. Carl Greenblum?

Mr. ULLMAN. To my best knowledge, I do not.

The CHAIRMAN. Do you know Mr. Markus Epstein?

Mr. ULLMAN. To my best knowledge, I do not.

The CHAIRMAN. Did you know Mr. Julius Rosenberg?

Mr. ULLMAN. To my best knowledge, I did not.

The CHAIRMAN. Did you know Joseph Levitsky?

Mr. ULLMAN. To my best knowledge, I do not.

The CHAIRMAN. I think that that is all.

Mr. SCHINE. I have a question. Do you know a Marcel Ullmann?

Mr. ULLMAN. No.

Mr. SCHINE. He is no member of your family, or no member of your family is named Marcel?

Mr. ULLMAN. No.

The CHAIRMAN. That will be all for the time being, and you will consider yourself under subpoena and you will be notified when you are wanted to return.

[Whereupon, at 11:30 a.m., a recess was taken until 1:30 p.m. of the same day.]

AFTER RECESS

[The hearing reconvened at 1:35 p.m.]

The CHAIRMAN. We will proceed.

Will you stand up and raise your right hand? In the matter now before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth so help you God?

Mr. MARTIN. I do.

TESTIMONY OF BERNARD MARTIN

The CHAIRMAN. Give your full name, please.

Mr. MARTIN. Bernard Martin, M-a-r-t-i-n.

The CHAIRMAN. You understand, of course, that if you want to have counsel you have the right to have a lawyer here, and if you do you can consult him at any time. You understand that.

Mr. MARTIN. Yes, sir.

Mr. COHN. You are commonly known as Bob Martin, is that correct?

Mr. MARTIN. That is correct.

Mr. COHN. Mr. Martin, have you been employed at Fort Monmouth?

Mr. MARTIN. Yes, I have.

Mr. COHN. For how long a period of time?

Mr. MARTIN. I was originally employed at Fort Monmouth in March of 1941. I went on military furlough in October of 1943, and returned to Fort Monmouth in February of 1946, and immediately transferred to the air force.

Mr. COHN. To the air force?

Mr. MARTIN. That is correct, and stayed with the air force until October of 1951. Correction, it was October of 1950, at which time I transferred back again to the Signal Corps.

Mr. COHN. Now, when you were at the air force, were you there as a civilian?

Mr. MARTIN. Yes, sir.

Mr. COHN. Did you work at the Watson Laboratory?

Mr. MARTIN. That is correct.

Mr. COHN. When you went back, did you go back to Evans?

Mr. MARTIN. No, sir.

Mr. COHN. Where did you go?

Mr. MARTIN. To the Electronic Warfare Center at Monmouth proper.

Mr. COHN. Did you have access to classified material?

Mr. MARTIN. Yes, sir; I did.

Mr. COHN. Your present status is you have been suspended?

Mr. MARTIN. That is correct.

Mr. COHN. That was about ten days ago?

Mr. MARTIN. About two weeks.

Mr. COHN. Mr. Martin, do you know a man by the name of Marcel Ullmann?

Mr. MARTIN. I have met him, yes, sir; in the course of work.

Mr. COHN. What were the circumstances of your having met Marcel Ullmann?

Mr. MARTIN. Mr. Ullmann was an engineer at the Watson Laboratories, and I first met him at Wright Field in July of 1946. I must go back a little bit to explain my position at Wright Field. When I returned to the air force from military furlough in 1946, I was immediately sent to Wright Field on temporary duty to assist the intelligence division there in some work. I was out there in connection with that work for a period of approximately five months. At the end of that time, the intelligence division at Wright Field put on a captured electronics equipment symposium. It was not confined to electronics, it was a captured equipment symposium, and I was one of the men that helped set up the equipment and gather information for that symposium.

Mr. Ullmann came out there as one of the official representatives of Watson Laboratories, one of three men, I believe. I met him there at that time.

Subsequent to that, several weeks after that, I returned to Watson Laboratories and assumed specific duties on the staff of the engineering division. Mr. Ullmann was as I have indicated an employee, an engineer at Watson Laboratories, and I did have certain official contact with him at that time, which was fairly heavy initially. It dwindled rather steadily until late in 1947 or early in 1948, and it was practically over.

Mr. COHN. Did he ever ask you for any classified documents?

Mr. MARTIN. I rather imagine that he did, sir. Many men in the organization received classified documents through me.

Mr. COHN. Well, now, do you specifically recall having given any to Mr. Ullmann?

Mr. MARTIN. Well, certainly many documents were sent to his office from my office covered by a receipt system through the mails system.

Mr. COHN. You have a specific recollection of that?

Mr. MARTIN. Not a specific document, but a number of documents.

Mr. COHN. Did you ever give to Mr. Ullmann any documents which you were not authorized to give to him?

Mr. MARTIN. None that I know of, sir.

Mr. COHN. Let me ask you this: When you were suspended, you were presented with a letter of charges by Colonel Sullivan?

Mr. MARTIN. That is correct.

Mr. COHN. Just give us the substance of that.

Mr. MARTIN. The first charge was that I was a member of the American Veterans Committee, Eastern Monmouth County Chapter. The second charge was that I did not take a positive anti-Communist stand at a meeting specifically, a meeting which was discussed in February of 1947. The third charge was the Ullmann matter, and that is in which it was stated that I gave him information which he did not require in the course of his work. The fourth charge was that my father had registered as an affiliate of the American Labor party here in New York from 1917 through 1941.

Mr. COHN. With reference to this third charge, is it a fact that you did give to Mr. Ullmann information to which he was not entitled?

Mr. MARTIN. No, sir; to the best of my knowledge that is not true.

Mr. COHN. You say that is not true?

Mr. MARTIN. That is not true.

Mr. COHN. What documents do you recall having given to Mr. Ullmann. Were you working for him?

Mr. MARTIN. No, sir; I was on the staff of the engineering division and Mr. Ullmann was employed as an engineer in the field trial laboratories, which is one of the operating branches of the engineering division.

Mr. COHN. You had a pretty good idea just what his duties were, did you not?

Mr. MARTIN. Yes, sir.

Mr. COHN. And as to what he would be entitled to and as to what he would not?

Mr. MARTIN. That is correct.

Mr. COHN. Is it your testimony that you do not recall having given him anything to which he was not entitled?

Mr. MARTIN. Yes, sir; that is correct, and we have also, as you undoubtedly are aware, the Civil Service Commission once brought this matter up, with the same charge, along with the AVC charge. At that time, we discussed in considerable detail my association with Ullmann, and this is the point I would like to make at this time, the fact that when the charge was first presented to me I spent a good deal of time visiting the Watson Laboratories Group, which has since moved as you probably know to the Griffiths Air Force Base up in Rome. No one from the chief engineer or the chief of the engineering division on down through the number of operating officials to whom I spoke, had any recollection of any such event.

Furthermore, it developed at the hearing, or at least the inference was drawn at that hearing, that the source of the statement regarding Ullmann was a man who was my supervisor at the time it was supposed to have taken place.

Mr. COHN. What was his name?

Mr. MARTIN. Franklin T. Vansant. I have no guarantee that that is correct, I have no documentary evidence of that.

The CHAIRMAN. Could I interrupt you? Were you ever solicited to join the Communist party?

Mr. MARTIN. No, sir.

The CHAIRMAN. Never?

Mr. MARTIN. Not to my knowledge, that I know of, sir.

The CHAIRMAN. Were you ever asked to attend a Communist meeting?

Mr. MARTIN. Not that I know of, sir.

The CHAIRMAN. You would know, wouldn't you?

Mr. MARTIN. I would think so if it was presented that way, if it was completely shrouded in something else I might not have known.

The CHAIRMAN. Were you ever asked to attend what you considered a Communist meeting? I am not asking you whether you went. I am asking you whether you were ever invited.

Mr. MARTIN. I have no recollection of any such thing.

The CHAIRMAN. Did you ever have any close friends who attended Communist meetings?

Mr. MARTIN. None to my knowledge.

Mr. COHN. Did you ever know a Communist?

Mr. MARTIN. Well, apparently Ullmann for example was a Communist, and I did know Ullmann, but there was no one that I ever consciously associated with whom I knew to be a Communist, and now at the American Veterans Committee there were several men who specifically admitted being Communists, but they were not personnel with whom I associated at any time.

Mr. COHN. Were any of those persons employed at Fort Monmouth?

Mr. MARTIN. At the present time, no, sir.

Mr. COHN. Were any of them employed there in the past?

Mr. MARTIN. Mr. Sockel, who was one of the group whom we considered to be certainly sympathetic—

Mr. COHN. What was his full name?

Mr. MARTIN. Albert Sockel.

Mr. COHN. How long is it since he has been working at Fort Monmouth?

Mr. MARTIN. My guess would be 1948 or 1949, and I really don't know.

Mr. COHN. Anybody else?

Mr. MARTIN. Ullmann I have mentioned.

Mr. COHN. When did you learn that Ullmann was a Communist?

Mr. MARTIN. There were rumors to that effect immediately after he left.

Mr. COHN. Didn't you hear anything about it while he was there?

Mr. MARTIN. No, sir; I had no other contact with him, and in fact my personal contact with Ullmann was very limited, even at the laboratories, and he was not in the same building I was located in, and he seldom personally contacted me. Occasionally he would send a memorandum to the office or on routine business that I would send out he would indicate an interest or a need for specific information.

Mr. COHN. On this information that was allegedly given to him, which you should not have, that was classified information, is that correct?

Mr. MARTIN. I do not know, sir. The initial Civil Service interrogatories did not say "classified information," but the Department of the Army suspension letter did say "classified information."

Mr. COHN. Don't you have any idea what that information is, and what it is alleged to have been?

Mr. MARTIN. Let me put it this way, and let me tell you what information I was working with, and that may help us. The association, or the documents with which I was associated, with Mr. Ullmann, that is not a clean sentence certainly, dealt primarily with captured German and Japanese equipment. It was equipment collected during the war, and brought back to this country, and evaluated extensively. Now, many of these documents had originally been written by army, air force, navy, and joint American and British intelligence activities. They were classified in many cases during the war.

Subsequent to the war, the classifying organizations no longer existed and it took a higher authority to downgrade them. Therefore, these documents still retained their classification, and in many cases were classified only because nobody could downgrade

them. That is the type of document that we were handling for the most part.

The CHAIRMAN. What happened at the hearing after you had been served with this letter of charges?

Mr. MARTIN. The interrogatories from the Civil Service Commission?

The CHAIRMAN. Did you have a public hearing?

Mr. MARTIN. I had a hearing at the Civil Service Commission offices here in New York, that is correct. The hearing entailed a very extensive discussion of both of these charges, after which I introduced a number of witnesses and the hearing was closed, and some two months later I received a letter stating that I was eligible for Federal employment on the basis of loyalty.

The CHAIRMAN. The only witnesses who were heard were the ones that you brought in, is that right?

Mr. MARTIN. That is correct, and the government witnesses had been invited and did not appear, presumably the person who made the Ullmann statement.

The CHAIRMAN. I am rather curious about this, and at that time the loyalty board had considerable information from federal investigative agencies, and did they indicate why they didn't call any of the witnesses other than those that you brought in?

Mr. MARTIN. No, sir; they did not.

The CHAIRMAN. Who was the chairman?

Mr. MARTIN. I do know that they did invite one witness, who did not appear.

The CHAIRMAN. Who was that?

Mr. MARTIN. I don't know the name, but I was told it was a person from Florida.

The CHAIRMAN. Who is the chairman of that loyalty board?

Mr. MARTIN. I am afraid, sir, that I am going to have to hedge the question, for the fact that it may be classified information, and I do not know—

The CHAIRMAN. I am going to have to order you to answer that question. The name of the chairman of the loyalty board is not classified in so far as this committee is concerned. If it is classified, it is declassified as of now, and so you will be ordered to give us the name of the chairman of the loyalty board that cleared you.

Mr. MARTIN. Andrew C. Clements.

The CHAIRMAN. And was he an army officer?

Mr. MARTIN. No, sir.

The CHAIRMAN. He was a civilian?

Mr. MARTIN. Yes, and I believe not connected with the government.

The CHAIRMAN. Who were the other members of the loyalty board?

Mr. MARTIN. The same instructions I assume hold?

The CHAIRMAN. Yes. For your protection, let the record show that you are ordered to produce the information.

Mr. MARTIN. A Mr. Richard Condon, and a Mr. Louis C. Haggerty.

The CHAIRMAN. Did you know any of those people before you met them at this hearing?

Mr. MARTIN. No, sir.

Mr. COHN. You have there a transcript that was taken, was it not?

Mr. MARTIN. Yes, sir; it was.

Mr. COHN. How many copies do you have?

Mr. MARTIN. I have just the one, sir.

The CHAIRMAN. We can secure that information.

Mr. COHN. Was that a Second Regional Civil Service Commission board?

Mr. MARTIN. Yes.

Mr. COHN. Do you have that copy with you?

Mr. MARTIN. Yes, sir, I do.

Mr. COHN. Could I look at it for a moment?

Mr. MARTIN. Surely.

[A document was handed to counsel.]

The CHAIRMAN. Where are you working now?

Mr. MARTIN. I have been suspended but prior to the suspension I was with the Signal Corps Publications Agency at Fort Monmouth.

The CHAIRMAN. Are you working at all at this time?

Mr. MARTIN. No, sir; not at the moment.

The CHAIRMAN. How long ago were you suspended?

Mr. MARTIN. On September 29, sir.

The CHAIRMAN. Just for your protection, I think you should know that we have testimony here that you gave or received classified material without authorization, and would you care to comment on that? I know that you have to some extent answered the questions.

Mr. MARTIN. Was that with Ullmann, sir?

The CHAIRMAN. Ullmann was one of the people. Let me ask you this question: Did you ever give any classified material to any individual whom you had reason to suspect might be either a Communist or an espionage agent?

Mr. MARTIN. No, sir; the only people to whom I have ever given classified material was in line of duty, and in all cases it was covered by a proper receipting system. I might add this one point in connection with Ullmann. It was seldom if at all that a document was sent or specifically given to Ullmann as a person or sent to him as a person by name. It was sent to his organization, and to his laboratory.

The CHAIRMAN. On some occasions you would give material to Ullmann personally, rather than to his laboratory?

Mr. MARTIN. I think that there were occasions when he would come into the office and sign for material because he was passing by, documents that we had already prepared for distribution to him.

The CHAIRMAN. At that time did you have any suspicion he was a Communist or espionage agent?

Mr. MARTIN. No, sir; I did not.

The CHAIRMAN. Did you ever have a camera, or carry a camera inside the plant?

Mr. MARTIN. Not to the best of my knowledge.

The CHAIRMAN. Did you ever see one of these little cameras, called a Minnox Camera?

Mr. MARTIN. No, sir.

The CHAIRMAN. You never saw one?

Mr. MARTIN. No, sir.

The CHAIRMAN. Did you know Mr. Keiser?

Mr. MARTIN. Maurice Keiser, is that the name?

The CHAIRMAN. Yes, Maurice Keiser.

Mr. MARTIN. Yes, Mr. Keiser works at Evans, and I have met him several times and in fact when I transferred back from the air force to the Signal Corps, I spoke to him and he was one of the men who interviewed me in connection with that transfer back.

The CHAIRMAN. Did you ever work with him?

Mr. MARTIN. No, sir; not directly. However the Signal Corps electronics warfare center for which I did work at Fort Monmouth did have some official business contact with Mr. Keiser's organization.

The CHAIRMAN. Did you ever see anyone carrying a Minnox camera?

Mr. MARTIN. Not that I have any recollection of.

The CHAIRMAN. You say you have no recollection. If you saw someone carrying a Minnox camera, you would remember it?

Mr. MARTIN. Cameras were prohibited on the post and I would have remembered it.

The CHAIRMAN. Did you ever carry a camera on the post?

Mr. MARTIN. No, sir.

The CHAIRMAN. Did you ever take any classified material off the post?

Mr. MARTIN. Not unless I was going from one activity at Fort Monmouth to another activity. For example, there were times, I think, when I carried classified information from Fort Monmouth to Camp Evans, and it was always covered, of course, by a document receipt.

The CHAIRMAN. You never kept any in your apartment?

Mr. MARTIN. No, sir.

Mr. SCHINE. You lived with Mr. Coleman and Mr. Corwin for a period of time, did you not?

Mr. MARTIN. For a short period.

Mr. SCHINE. Now by a short period of time, how long do you mean?

Mr. MARTIN. I believe it was, well it was——

Mr. SCHINE. In 1946?

Mr. MARTIN. No, it was, I would have to check the dates.

Mr. SCHINE. Wasn't it around 1946 or 1947?

Mr. MARTIN. It was 1947, I believe, and I think through the spring and summer of 1947.

Mr. SCHINE. A number of months?

Mr. MARTIN. It was about five or six months, I believe.

Mr. SCHINE. And you had a car pool with Mr. Coleman and Mr. Corwin, driving to and from work?

Mr. MARTIN. No, sir; not at that time, because I worked at Watson Laboratories, at that time, and they used to go to Evans, and I used to go to Watson Laboratories, which is in a different direction.

Mr. SCHINE. You never drove home from work with them?

Mr. MARTIN. No, sir.

Mr. SCHINE. Do you know a Howard Moss?

Mr. MARTIN. Yes, sir, I do.

Mr. SCHINE. And his name used to be Howard Moshenski?

Mr. MARTIN. That is right, and he changed it legally some years ago.

Mr. SCHINE. Where does he work now?

Mr. MARTIN. He is at Fort Monmouth in the area called the Watson area.

Mr. SCHINE. Is he a good friend of yours?

Mr. MARTIN. Well, we live together as it happens at the present time.

Mr. SCHINE. Will you please give us the names of the organizations which Mr. Moss belongs to?

Mr. MARTIN. He belongs to the Institute of Radio Engineers, I know. The only other organization I believe that I know he belongs to is the Knights of Pythias, and I know of no others.

Mr. SCHINE. You know of no other organization?

Mr. MARTIN. No, sir; unless there is a bridge club of some sort, he plays a good deal of bridge, I know.

Mr. SCHINE. Have you ever attended any meetings with Howard Moss?

Mr. MARTIN. No, sir; correction—I believe he is also a member of the National Federation of Federal Employees, NFFA, if I am not mistaken.

Mr. SCHINE. You have never attended meetings with him?

Mr. MARTIN. No, sir.

Mr. SCHINE. Did you ever meet Coleman and go home from work with him?

Mr. MARTIN. Very recently there have been occasions in the past six or seven months there have been occasions when he has driven me into town to pick up my car, or something, if I was having it served or I would do the same for him.

Mr. SCHINE. He carries a briefcase, does he not?

Mr. MARTIN. Not at the present time, I don't believe.

Mr. SCHINE. Do you recall Mr. Coleman carrying a briefcase?

Mr. MARTIN. You must remember, sir, that Mr. Coleman has been without a clearance for some eighteen months.

Mr. SCHINE. I am speaking about 1947.

Mr. MARTIN. At that time I do not know, at that time Mr. Coleman—we had no association at that time, except from the point of view of work, and no work association whatsoever.

Mr. SCHINE. Didn't you live together?

Mr. MARTIN. Yes, sir; we lived together.

Mr. SCHINE. Wouldn't you know he had a briefcase?

Mr. MARTIN. Well, he was going to Brooklyn Polytech at night and he was away several nights a week up there working on a master's degree, and several nights a week he would go right from school to New York, very possibly he did carry a briefcase, and again I have no direct recollection of it.

Mr. SCHINE. And isn't it true that in addition to having school books in this briefcase, he had certain classified material?

Mr. MARTIN. I do not know that, sir, and I do know that there was an incident back in 1946 or 1947, where he ran into some difficulty, and it must have been later.

Mr. SCHINE. Will you tell us about that incident, then?

Mr. MARTIN. I believe it happened after he lived with us, but again I am not certain.

The CHAIRMAN. Did you ever see any classified material around the home or apartment in which you lived with Mr. Coleman?

Mr. MARTIN. No, sir.

The CHAIRMAN. Never any at all?

Mr. MARTIN. None that I remember, no.

The CHAIRMAN. Did he have a camera in the apartment?

Mr. MARTIN. I don't believe so, and I don't know of him ever to do any photographic work or have an interest in it.

The CHAIRMAN. I think you have answered this before, but have you owned a camera in the past ten years?

Mr. MARTIN. Yes, sir; I do.

The CHAIRMAN. What kind of a camera?

Mr. MARTIN. It is a German camera, and actually I have several, and one of them is a German camera that I have had since roughly 1937, and it is a Precian, and it is used with standard 120 roll film, and it is fairly appreciable in size.

The CHAIRMAN. How large a camera is it?

Mr. MARTIN. The dimensions would be six by two by one and a half.

The CHAIRMAN. Can that be used for photostating?

Mr. MARTIN. I don't think so, sir; I tried it once with some clippings back in the early 1940s, some clippings I had from the 1937 and 1938 were pretty horrible in their results.

The CHAIRMAN. What other cameras do you have?

Mr. MARTIN. I have a 30-millimeter camera which is a Perfex.

The CHAIRMAN. Is that a movie camera?

Mr. MARTIN. No, that is a still camera, and the physical size of that is roughly eight by four by three, I would say, and it is defective actually, the lens is in pretty bad shape and it has always been that way and I purchased it as a second-hand camera.

The CHAIRMAN. Would that be suitable for photostating?

Mr. MARTIN. No, sir; it would not, and as a matter of fact I very rarely use that camera because of the lens fault that exists.

The CHAIRMAN. What other cameras do you have?

Mr. MARTIN. There is another broken camera in the junk pile which was an 8-millimeter movie camera which again has not been used for probably fifteen years, and it is laying in a corner some place.

The CHAIRMAN. And did Coleman ever have those cameras?

Mr. MARTIN. Not that I know of, sir, and as a matter of fact I am fairly certain he did not because for a while those cameras were in New York.

The CHAIRMAN. It is your testimony now under oath that you never as long as you lived with Coleman, never saw any classified material at the place where you lived?

Mr. MARTIN. I would say that is correct, sir.

The CHAIRMAN. Were you living with Coleman at the time that the army intelligence or some intelligence agency came and searched the living quarters?

Mr. MARTIN. No, sir; that was why I said I think that this occurred after we were living together.

The CHAIRMAN. How long after?

Mr. COHN. Can't you place the time when you were living with Coleman?

Mr. MARTIN. Yes, I can do that, that was roughly in April of 1947.

The CHAIRMAN. Now, he was found with these documents——

Mr. MARTIN. It was until October or late September of 1947.

Mr. COHN. You say it is your impression that this document incident occurred after that time?

Mr. MARTIN. I believe so.

Mr. COHN. It occurred before that time.

The CHAIRMAN. Didn't he ever discuss with you the fact that his living quarters had been raided by an intelligence unit, and they found secret and top secret material there?

Mr. MARTIN. Not at that time, sir, no.

The CHAIRMAN. While you were living with him, didn't he ever talk to you about that?

Mr. MARTIN. No, sir; there was a very marked limitation upon our association, and the fact that he was away several nights a week and he was away weekends.

The CHAIRMAN. How many rooms were there?

Mr. MARTIN. Three rooms, two bedrooms.

The CHAIRMAN. How many of you lived there?

Mr. MARTIN. Mr. Corwin and myself in one bedroom and Mr. Coleman had the other one.

The CHAIRMAN. If you lived in the same rooms you had fairly close association for six months and didn't you ever discuss with him the fact that he had been accused of espionage? Didn't he ever discuss it with you.

Mr. MARTIN. No, sir, as I remember.

The CHAIRMAN. When did you first meet him, and just try to answer the question "yes" or "no," whenever you can, and if you want to give any further explanation, you can give it. When did you first meet him?

Mr. MARTIN. I first met Mr. Coleman sometime in late 1941, or possibly early in 1942.

The CHAIRMAN. Then you know him continuously, and you lived with him?

Mr. MARTIN. We had a business association until he left for the army.

The CHAIRMAN. What was the business association?

Mr. MARTIN. I was in charge of a group that was handling literature preparation for classified equipment at Camp Evans, and Mr. Coleman was working, or was the project engineer on a number of classified contracts at that time.

The CHAIRMAN. Then you knew him until he left to go to the military, is that correct?

Mr. MARTIN. He went into the marines.

The CHAIRMAN. What year did he go, do you remember?

Mr. MARTIN. I would say he went in early in 1943, and I went into the air force in October of 1943. Our contact was strictly one of business and occasionally manuscripts that had been submitted by manufacturers were turned over to the project engineers for a final technical check.

The CHAIRMAN. The question is when he entered the marines.

Mr. MARTIN. I believe early in 1943.

The CHAIRMAN. When did he come out?

Mr. MARTIN. I think in the spring of 1946.

The CHAIRMAN. And you met him when he came out of the marines?

Mr. MARTIN. No, sir; I don't believe I saw him.

The CHAIRMAN. When did you see him? When did you strike up this contact that resulted in the three of you rooming together?

Mr. MARTIN. I would say some time late in 1946 again.

The CHAIRMAN. He was back at the Signal Corps then?

Mr. MARTIN. Yes, he was, and however I was with the air force at the time.

The CHAIRMAN. You were with the air force and he was with the Signal Corps?

Mr. MARTIN. That is correct.

The CHAIRMAN. And you met him and you decided to get this apartment, the three of you get the apartment?

Mr. MARTIN. That is correct.

The CHAIRMAN. You must have been pretty good friends, and I don't reconcile the fact that you were roommates with your statement that you only saw him casually. You must have seen him every night.

Mr. MARTIN. He would come back from New York rather late in the evening, eleven o'clock or later.

The CHAIRMAN. Did you cook in that apartment?

Mr. MARTIN. No, sir; we did not.

The CHAIRMAN. And you say that he never discussed with you the fact that he had been accused of espionage activities or the fact his living quarters had been searched, or anything like that?

Mr. MARTIN. I don't recall any detailed discussion, and I think that the discussion, if there was a discussion it was essentially limited to the fact that he had been accused and punished effectively for a security violation at that time. The details we didn't go into, and there was, you see, sir, there is a marked aversion among all of the people around there to discuss work outside of working hours, and certainly among those people who are dealing with classified information.

The CHAIRMAN. What was the occasion of your leaving, your breaking up the joint apartment?

Mr. MARTIN. The apartment was originally taken primarily on a temporary basis, and Mr. Coleman had purchased a home and he was waiting for the apartment in which he planned to live to be vacated by someone who had a lease on that apartment.

The CHAIRMAN. When that apartment was vacated, he went ahead and lived in that?

Mr. MARTIN. Yes, sir; and he married about that time.

The CHAIRMAN. What did you do? Did you stay in the old apartment?

Mr. MARTIN. No, Mr. Corwin and myself then moved in with another group of men.

The CHAIRMAN. What was the financial arrangement between you and Mr. Coleman and the third man?

Mr. MARTIN. Just that we split the rent three ways, that is all.

Mr. SCHINE. Mr. Martin, when did you lose your position at Fort Monmouth?

Mr. MARTIN. September 29, I was suspended.

Mr. SCHINE. Of this year?

Mr. MARTIN. That is right.

Mr. SCHINE. You bought a new car, did you?

Mr. MARTIN. In May of 1951.

Mr. SCHINE. That was what?

Mr. MARTIN. A 1951 Kaiser.

Mr. SCHINE. Did you have another car previous to this one?

Mr. MARTIN. I had a 1947 Kaiser prior to that time.

Mr. SCHINE. You drove to and from work in this car, didn't you?

Mr. MARTIN. That is correct.

Mr. SCHINE. And the others shared the car with you?

Mr. MARTIN. No, sir; I usually drove alone.

Mr. SCHINE. You had nobody drive home with you?

Mr. MARTIN. No, because none of the people I lived with worked with me and there was no one in the immediate area.

Mr. COHN. How about Harold Ducore?

Mr. MARTIN. I lived with him in 1942 and 1943.

The CHAIRMAN. Did you have any reason to think he was a Communist at the time?

Mr. MARTIN. No, sir; I did not.

Mr. COHN. Did you ever have any reason to believe Coleman was a Communist?

Mr. MARTIN. No, sir; I did not.

Mr. COHN. Did he ever tell you he had gone to Young Communist League meetings with Julius Rosenberg?

Mr. MARTIN. No, sir. That question, barring Mr. Rosenberg, was asked at the Civil Service Commission hearings, and as far as I know—

Mr. COHN. That was back in 1952, is that right?

Mr. MARTIN. In May of 1952.

Mr. COHN. So that some of the authorities in the army were aware of the connection between Mr. Coleman and Mr. Rosenberg and the Young Communist League back in 1952, and you were asked about it?

Mr. MARTIN. I wasn't asked about Mr. Rosenberg, but I was asked about Mr. Coleman, and my answer to that question—

Mr. COHN. I just looked at it, and you were asked whether or not—you were asked about Mr. Rosenberg?

Mr. MARTIN. They asked me if I knew him and I indicated I did not.

Mr. COHN. They asked you with reference to Mr. Coleman, did they not?

Mr. MARTIN. I believe so, and I ran through that last night, and I think there was some separation, and they asked me if I knew Mr. Sobell, and in fact I didn't recognize when they first asked me, I didn't recognize the names.

Mr. COHN. They did ask you about Mr. Coleman and the Young Communist League, in any event?

Mr. MARTIN. That is right.

Mr. COHN. So they must have been aware in 1952 of Mr. Coleman and the Young Communist League? Did you know Morton Sobell?

Mr. MARTIN. No, sir.

Mr. COHN. Now, you say Coleman himself had never told you that as close as you were to him, that he had gone to Young Communist meetings with Rosenberg?

Mr. MARTIN. No.

Mr. COHN. Did he tell you he knew Rosenberg?

Mr. MARTIN. Not at that time, and he has told me fairly recently that he did.

Mr. COHN. Has he told you—

Mr. MARTIN. That he had gone to school, and they were in some classes together.

The CHAIRMAN. How recent was that?

Mr. MARTIN. Within the last six months, I would say.

The CHAIRMAN. You still have social contacts with Coleman?

Mr. MARTIN. Mr. Coleman and I have been working in this same office for one year. The army, when they took my clearance away, put me in another building on a loan basis, and Mr. Coleman and I were placed in the same office.

The CHAIRMAN. How long ago was that?

Mr. MARTIN. That was in August of 1952.

The CHAIRMAN. Here is the thing that sort of confuses me, or puzzles me a bit, Mr. Martin: You were out there in a very important job, and I think it is conceded that if you were, and not saying that you are at all, but if you were a Communist or espionage agent you could do this country a great deal of damage, and you appear to be a very intelligent person. I would say much above the average. You are living with a man who obviously was a member of the Communist party, and obviously had been removing secret material from the laboratory and there was knowledge around there that he had done this and they had found the stuff in the apartment and you are rooming with him, and you have not even the faintest suspicion that he was sympathetic to the Communist cause.

To the average person sitting here, it would seem that either you were extremely naive and stupid—and I don't think that you are stupid at all—or that you are not being frank with us. I am not accusing you of that. It is easy for a chairman to sit here and accuse a witness of something like that, and I don't want to do it. I never saw you before and I know nothing about you, and I may say just for your own benefit I am not at all impressed with your testimony, and I am impressed with the fact that you are a very smart young man.

From the lack of either recognition of a Communist, your inability to recognize you are living with one and rooming with one, either that or your failure to tell us frankly what the situation was, if I were in the position of the secretary of the army I would just say, "Well, the American people are entitled to the benefit of the doubt, and we can't use this young man."

This perhaps will be the last time you will be on the stand, and I would strongly urge that you proceed to give us a bit more information than you have. I think it is impossible, and pardon me for repeating, for you or me or anyone else to live with a Communist, and room with one, and just have no suspicion of what he was standing for. The Communists just don't work that way at all.

Now, if you would care to give us any more information, we would like to receive it. Or if you haven't any more, that is all right.

Mr. MARTIN. Well, frankly, sir, you have made a lot of statements about Mr. Coleman, but I personally do not believe many of them to be substantiated in fact. Now, again, I don't have the facts that you have available to you, and I don't know these things. Now, Mr. Coleman may be a very excellent actor, but again that I do not know.

The CHAIRMAN. Did you ever go to any meetings of any kind with Mr. Coleman?

Mr. MARTIN. None outside of possible business conferences, in line of duty.

The CHAIRMAN. These business conferences, would they be at the post?

Mr. MARTIN. At the post, yes, sir; during the working hours.

The CHAIRMAN. Never at any meetings outside of that?

Mr. MARTIN. None that I know of.

The CHAIRMAN. Did you ever have any meetings at the apartment, or the living quarters?

Mr. MARTIN. No.

The CHAIRMAN. None ever?

Mr. MARTIN. No.

The CHAIRMAN. Did people come there for a social gathering?

Mr. MARTIN. We had only a limited amount of space there and we seldom had visitors. We visited other people, or we as individuals visited other people.

The CHAIRMAN. How often would you say people would come into the living quarters, socially or otherwise, for a drink or to talk?

Mr. MARTIN. I am trying to recall specifically instances where we had visitors, and frankly I cannot at the moment say we never had any, but I don't recall any.

The CHAIRMAN. You never went to the Rosenberg home?

Mr. MARTIN. No, sir.

The CHAIRMAN. Nor to the Sobell home?

Mr. MARTIN. No, sir.

Mr. COHN. We will let you know, Mr. Martin, when we want you again.

Mr. MARTIN. No, the transcript.

Mr. COHN. Here it is.

The CHAIRMAN. Your name will not be given to the press, unless you give it to them yourself

Mr. MARTIN. Thank you, I shall not. I prefer it that way.

Mr. SCHINE. After you gave the papers to Mr. Ullmann, and the trouble arose, you discussed with him, didn't you, the fact that he was accused of being a member of the Communist party?

Mr. MARTIN. No, sir; I did not, and I did not see Mr. Ullmann from the day he left the laboratories, and I don't know that I saw him at that time. I do know this: That when he did leave, my files were checked and he had no documents for which I was responsible, and which I had given him, and they had all been returned to me and my accounts were perfect.

Mr. COHN. Of course, he could have made copies of them.

Mr. MARTIN. That is true, and I don't know.

Mr. COHN. Thank you very much.

The CHAIRMAN. Thank you.

The CHAIRMAN. Mr. Kaplan, will you stand and raise your right hand.

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KAPLAN. I do.

**TESTIMONY OF LOUIS KAPLAN (ACCOMPANIED BY HIS
COUNSEL, MORTON STAVIS)**

Mr. COHN. Give us your name.

Mr. KAPLAN. Louis Kaplan.

Mr. COHN. Can I have the name of counsel, for the record?

Mr. STAVIS. Morton Stavis, 744 Broad Street, Newark, New Jersey.

Mr. COHN. Now, Mr. Stavis, I think this is your first appearance before the committee. The rules of the committee are that your client is free to consult with you at any time he desires to. In other words, Mr. Kaplan, you can talk to your lawyer any time you want, but your counsel cannot participate directly in the proceeding himself.

Mr. STAVIS. May I have your name?

Mr. COHN. I am Roy Cohn.

The CHAIRMAN. I may say also that if in any instance a matter comes up which I think of sufficient importance that your client would like to have a private conference with you, we will arrange for a room for such a conference. The only restriction upon counsel is that he cannot personally take part in the proceedings. If he wants to take part, he must do it through his witness.

Mr. COHN. What is your address?

Mr. KAPLAN. 130 Taylor Avenue, Neptune, New Jersey.

Mr. COHN. Now, have you ever been employed by the Army Signal Corps?

Mr. KAPLAN. Yes, sir, I was.

Mr. COHN. During what years?

Mr. KAPLAN. I think it was from 1943 through 1947.

Mr. COHN. 1943 through 1947?

Mr. KAPLAN. To my best recollection.

Mr. COHN. What did you do from 1947 to the present time?

Mr. KAPLAN. From 1947 until the present time, I worked at a big cooperative called the New Jersey Federated Egg Producers Cooperative, and subsequent to that I was laid off and I was out of work for a while.

Mr. COHN. What do you do now?

Mr. KAPLAN. At the present moment I sell eggs.

Mr. COHN. During the time you were employed at the Army Signal Corps, what was the nature of your duties?

Mr. KAPLAN. I was mainly concerned with the standardization of plastic materials.

The CHAIRMAN. As a what?

Mr. KAPLAN. I was employed at the Army Electronics Standards Agency, it was called, and mainly concerned with the standardization of plastic materials.

Mr. COHN. Did you have access to any classified material?

Mr. KAPLAN. In the course of my work, I believe I did, yes, sir.

Mr. COHN. Were you a member of the Communist party when you worked for the Signal Corps?

Mr. KAPLAN. I would like to invoke the Fifth Amendment and the privilege which it gives me for not to be forced to testify against myself.

Mr. COHN. You refuse to answer on the ground your answer might tend to incriminate you?

Mr. KAPLAN. The answer I gave, that I read the Fifth Amendment and it states that one is not required to bear witness against one's self.

Mr. COHN. Well, I am glad you read the amendment, but unfortunately, these days you have to read a lot of cases by the courts in connection with the amendment, and those cases have held that you are entitled to assert that privilege under the amendment before a congressional committee if you feel that an answer to the question might tend to incriminate you; and if that is the ground on which you are asserting the privilege you are entitled to do that. If you want to confer with counsel, you may do so.

[The witness consulted with his counsel.]

Mr. KAPLAN. I will make the statement you make, but at the same time my attorney advises me to say that I am also invoking the privilege of the Fifth Amendment.

Mr. COHN. Are you a member of the Communist party today?

Mr. KAPLAN. I would invoke the Fifth Amendment on the same grounds as previously.

Mr. COHN. Are any people currently employed by the Signal Corps at Fort Monmouth who are in the Communist party with you?

Mr. KAPLAN. I would invoke the Fifth Amendment on that, also.

Mr. COHN. Were you specifically a member of the Shore Branch of the Communist party?

[The witness consulted with his counsel.]

Mr. KAPLAN. Well, my attorney advises me that that is the same question you asked me previously.

Mr. COHN. Did I mention the Shore Branch?

Mr. KAPLAN. On that particular question I also invoke the privilege of the Fifth Amendment.

Mr. COHN. When you worked at Monmouth Laboratories, did you know a man named Aaron Coleman?

Mr. KAPLAN. I never knew him.

Mr. COHN. Did you know a man named Harold Ducore?

Mr. KAPLAN. Yes, I did know him.

Mr. COHN. Did you ever attend a Communist meeting with him?

Mr. KAPLAN. I refuse to answer that question under the Fifth Amendment.

The CHAIRMAN. You understand when you say you refuse to answer on the ground your answer might tend to incriminate you, that you are in effect saying you attended Communist meetings with him, because, if you did not attend Communist meetings with him, the answer to that question could in no way incriminate you. Now, I want to ask you this question: When you refuse to answer, invoking the privilege of the Fifth Amendment, are you doing so on

the ground that you honestly feel that a truthful answer might tend to incriminate you?

You may consult counsel if you wish.

[The witness conferred with his counsel.]

Mr. KAPLAN. Senator, you can say what your opinion is about the Fifth Amendment.

The CHAIRMAN. Would you start over again please?

Mr. KAPLAN. Your interpretation of the use of the Fifth Amendment differs somewhat from mine, because I believe that I can invoke the privilege of the Fifth Amendment in a situation like this, in view of the fact that I don't know what is being cooked up, and I feel that I have every right to protect myself from being implicated in something that I never did or never would do. The Fifth Amendment gives me the privilege of, in any criminal case, not to be a witness against myself.

The CHAIRMAN. This is not a criminal case. We have asked you a very simple question. Unless you feel that a truthful answer would tend to incriminate you, you are not entitled to the privilege of the Fifth Amendment, and you are not entitled to invoke the Fifth Amendment because perjury would incriminate you, and so you are ordered to answer the question unless you tell us that you honestly feel that a truthful answer would tend to incriminate you. My question is: Do you feel that a truthful answer to that question might tend to incriminate you?

[The witness conferred with his counsel.]

The CHAIRMAN. In case you do not recall, the question was: Did you attend Communist meetings with Ducore?

Mr. KAPLAN. My attorney advises me that I honestly feel that I cannot be compelled to answer that question, because of the provisions of the Fifth Amendment.

The CHAIRMAN. You cannot be compelled to answer that question, but if you do not answer it I will order you to answer the other question. I cannot compel you to answer whether or not you honestly feel that a truthful answer might tend to incriminate you, but if you do not answer it, you are not entitled to the Fifth Amendment privilege on the other question. So if you refuse to answer it, I will order you to answer it—whether you attended Communist meetings.

Mr. STAVIS. May I suggest that I think it is somewhat unfair to debate tenuous legal questions with someone.

The CHAIRMAN. I am not going to hear from counsel. I have ordered the witness to answer a question, and I will not hear from counsel.

Mr. Kaplan, let us have the record show that you were asked—we will ask you over again so that there will be no possibility of your claiming ignorance of the facts or that you misunderstood the question, at some future legal proceeding.

Did you attend Communist meetings with a Mr. Ducore, whom you state you knew in the Signal Corps?

Mr. KAPLAN. And the answer which I gave was that I invoke the Fifth Amendment; and then you said something else after that.

The CHAIRMAN. Are you refusing to answer the question? Are you refusing to answer that question? That is, whether or not you attended meetings with Ducore?

[The witness conferred with his counsel.]

Mr. KAPLAN. Yes, on the grounds of the Fifth Amendment privilege.

The CHAIRMAN. Well, now, I will re-ask the other question: Do you feel a truthful answer to that question might tend to incriminate you?

Mr. KAPLAN. Senator McCarthy——

The CHAIRMAN. Yes or no, or you can refuse to answer.

Mr. STAVIS. May I confer with my client?

The CHAIRMAN. You may.

[The witness conferred with his counsel.]

Mr. STAVIS. May we have a recess for about five minutes?

The CHAIRMAN. You may have one for longer than that while we have another witness. You are still under subpoena.

The CHAIRMAN. Would you stand up, please?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DONOHUE. I do.

TESTIMONY OF HARRY J. DONOHUE

Mr. COHN. Could we have your full name?

Mr. DONOHUE. Harry J. Donahue.

Mr. COHN. Where are you employed?

Mr. DONOHUE. At present, I am employed in the Department of the Interior.

Mr. COHN. What is your title there?

Mr. DONOHUE. Special assistant to the assistant secretary for Public Land Management.

Mr. COHN. By the way, I want to thank you very much for coming up here today, and we appreciate your taking the time.

Was there a time when you were with the Army Signal Corps?

Mr. DONOHUE. Yes, I was with the Army Signal Corps during the war, and from August 1948 until May 1952.

Mr. COHN. I want to talk to you particularly about the period of April 1951, and do you recall that period?

Mr. DONOHUE. Yes, sir.

Mr. COHN. You were then with the Army Signal Corps?

Mr. DONOHUE. I was.

Mr. COHN. Did you hold the title of assistant top secret control officer at the Signal Corps Intelligence Agency, Washington?

Mr. DONOHUE. I did.

Mr. COHN. And did there come to your attention at that time an incident concerning some missing documents?

Mr. DONOHUE. In April of 1951, Captain Herrin, who was the top secret control officer, was absent on leave, and I took his place.

Mr. COHN. You were the acting top secret control officer?

Mr. DONOHUE. Yes, sir. And a letter came in from the Pentagon addressed from the Office of the Chief Signal Officer to the Signal Corps Intelligence Agency, requesting information concerning certain top secret documents, and numbered about 115, or thereabouts.

Mr. COHN. Now, what was the purpose of this letter? Did they seek to ascertain the location of those documents, or whether or not they were all accounted for or some were missing?

Mr. DONOHUE. Well, as I recall, they specified that the following documents—and it listed them—have been charged to the Signal Corps Intelligence Agency, and will you please check your records and notify us as to the disposition.

Mr. COHN. You did not know the background, and you didn't know why they had made the request or what allegations had been made?

Mr. DONOHUE. No, sir.

Mr. COHN. With particular reference to some fifty-seven of those documents, were you able to locate them?

Mr. DONOHUE. I checked the complete files of the agency in the top secret safe, and I found information regarding the disposition of all except fifty-seven of the documents.

Mr. COHN. Tell us about those fifty-seven, will you?

Mr. DONOHUE. Well, the fifty-seven specified documents, I could find no record whatsoever that the documents had even been in the agency.

Mr. COHN. Could you find any certificates of destruction for the documents?

Mr. DONOHUE. Not for the particular documents, no, sir.

Mr. COHN. What excuse was given for the failure to have any record that they had been in the agency? Was there something involving a register?

Mr. DONOHUE. Well, I sat down and I went over the documents, over the entire list of documents with Colonel Hanson, who had previously been the top secret control officer. When we came up with the fifty-seven documents for which there was no record, we tried to ascertain why we couldn't find such a record. We did come across a certificate of destruction which indicated that three top secret registers had been destroyed by burning.

Mr. COHN. Those are the registers which would indicate that those documents were in existence, is that right?

Mr. DONOHUE. Well, I couldn't say for certain. That is what I assumed, because the date of the document coincided pretty well with the dates that the registers covered.

Mr. COHN. If you had those registers, those registers would show that the documents were there?

Mr. DONOHUE. I would assume that.

Mr. COHN. Or they should be someplace?

Mr. DONOHUE. Yes.

Mr. COHN. Now, let us assume those documents had been destroyed. Would there be certificates of destruction?

Mr. DONOHUE. There should be. There should have been a certificate of destruction on file in the agency.

Mr. COHN. Did you reach any conclusion from the fact that there were no certificates of destruction on file as to those documents?

Mr. DONOHUE. No, not at the time.

Mr. COHN. Have you ever reached any conclusion?

Mr. DONOHUE. No. It is difficult to say what happened to the documents. As far as the records that I had would show, there was no indication.

The CHAIRMAN. If a register had been destroyed, should there not be a certificate of destruction for the destruction of the register?

Mr. DONOHUE. That there was. There was a certificate of destruction which indicated that three registers had been destroyed.

The CHAIRMAN. Does that show why they were destroyed?

Mr. DONOHUE. No, sir, it didn't, and it seemed to me fantastic at the time, and Colonel Hanson thought likewise, inconceivable that a top secret register would be destroyed, because that is your basic record.

The CHAIRMAN. As far as you know, that has been unheard of in the past, that the registers would be destroyed?

Mr. DONOHUE. I never heard of such a thing.

The CHAIRMAN. Do you know who gave the orders for the destruction of the register?

Mr. DONOHUE. No, sir, I don't.

The CHAIRMAN. Would that not be on the certificate of destruction?

Mr. DONOHUE. No, sir, it wouldn't.

The CHAIRMAN. What does the certificate of destruction contain? I thought it would contain the authority for the destruction and the name of the destroying officer.

Mr. DONOHUE. No. Generally it has only the list of documents destroyed, and the names of the two certifying officers. Now, a document usually contains, below the title, someplace in the front of the document, information pertaining to the destruction of it, and quite often it will say that at such time as this is of no further use, no longer useful, the document may be destroyed and report rendered.

The CHAIRMAN. Then the only way you can tell why the document was destroyed is to go to the certifying officer and depend upon their memory, is that the way it is done?

Mr. DONOHUE. Yes, sir.

The CHAIRMAN. It seems like rather a slipshod method, does it not? The reason I ask that is that I recall in the Marine Corps we used to destroy some messages that came in in code, and each time you did, you had to give the name of the officer who authorized the destruction, and the reason for the destruction, and the name of the destroying officer. I may be wrong on that, but as I recall, that was the setup.

Now, let me ask you this—and pardon me for interrupting you. I understand there are fifty-seven secret documents that were missing, and there was no certificate of destruction for any of those fifty-seven documents, and the register which contained a listing of the documents was also destroyed, and there was a certificate of destruction for the register but not for the destruction of the documents?

Mr. DONOHUE. That is all true except for this one point: It is not possible to say really whether the fifty-seven documents were entered or were not entered in those registers; because of the dates, we assumed that that was so.

The CHAIRMAN. In other words, if the document was dated June 10, we will say, 1947, and if the register ran for the month of June and the month of July, you would assume it had been listed in that destroyed register?

Mr. DONOHUE. That is right.

The CHAIRMAN. As of this time, you cannot think of any valid reason for the destruction of those registers?

Mr. DONOHUE. No, sir, I know of no good reason for it.

The CHAIRMAN. Were those fifty-seven documents all top secret?

Mr. DONOHUE. They were all top secret at such time as they came into the agency, yes.

The CHAIRMAN. If those fifty-seven top secret documents found their way into the hands of a potential enemy, it could do tremendous damage to this country, I assume.

Mr. DONOHUE. I would certainly say so.

The CHAIRMAN. Did they have to do with radar defenses, or defenses against potential atomic bomb attacks, and that sort of thing?

Mr. DONOHUE. At this time I couldn't say what they covered. They could have covered radar, because, of course, we dealt in that.

The CHAIRMAN. Does the register contain any kind of a description of the documents, so that if you had the register you would have some idea of what the document contained? Or does it merely contain the number of the document?

Mr. DONOHUE. It would contain the number and the title, which would give some indication of what the content was.

The CHAIRMAN. So that if I were an espionage agent working within the Signal Corps and if I have my Communist apparatus and stole the fifty-seven documents, the logical thing for me to do then would be to destroy the register so that no one would have a picture of what was in the documents?

Mr. DONOHUE. That would be a very convenient cover-up if it could be done.

The CHAIRMAN. Has anyone ever followed this down and tried to find out who authorized the destruction of the register?

Mr. DONOHUE. Not to my knowledge.

Mr. COHN. What happened to the documents?

Mr. DONOHUE. I assume the army has looked into it, but no indication was ever given to me what was done about it.

Mr. COHN. Is there any comment you would like to make on it?

Mr. DONOHUE. I would like to make one comment on this question of fifty-seven missing documents, because the House report on the conditions in the Signal Corps Intelligence Agency indicated that the army, or the excuse the army gave was that the officer who completed the report on the missing documents had submitted an inaccurate report, which of course was untrue. I was the officer concerned, and the report was thoroughly accurate, so far as my records permitted me to reply.

The CHAIRMAN. When was that report made?

Mr. DONOHUE. That report—I got that information from the House report.

The CHAIRMAN. The House Un-American Activities Committee report?

Mr. DONOHUE. Yes.

The CHAIRMAN. The picture I get from what we have been told by the army is that while a list of secret and top secret documents was submitted to your department, that same list was submitted to various other units, and that while the list was submitted to your unit it was not submitted with the understanding that all of

those documents had ever been in your unit at all; that of the fifty-seven, either all of them, or only one or two or five or ten, ever found their way into your unit, and that some of them had gone to some other unit. In other words, there was a multiple questionnaire. What comment would you have on that?

Mr. DONOHUE. Well, it has been two and a half years, but as I recall, the list of documents was submitted to the agency indicating that the documents had been charged to Signal Corps Intelligence Agency, and myself and Colonel Hanson proceeded on the assumption that the documents either should be with us or we should find information that they had been downgraded or destroyed.

The CHAIRMAN. You understood, in other words, that this questionnaire concerned documents that had been charged out to your agency?

Mr. DONOHUE. Exactly. And another reason why I would assume that was that Colonel Hanson was called before this Signal Corps board which was investigating the matter, and although I wasn't in on the proceedings, I learned from Colonel Hanson that they covered some of that territory.

The CHAIRMAN. Let me ask you this: The fact that, we will say, document number fifty-seven is found someplace else would be no proof that it had not been stolen from the Signal Corps? They might send a secret document to your department and one to "X" department and "Y" department, and as far as you know, everything that you searched for had been charged out to you on the log of some other parent organization?

Mr. DONOHUE. That is right, under the log of the Office of the Chief Signal Officer.

The CHAIRMAN. We do not like to impose upon you indefinitely, but when we get the distribution list showing where it was distributed, you might be able to give us some help on that.

Let me ask you this question: In making this search do you recall whether you or the colonel ever went back a step to find out whether this material had actually been charged out to you?

Mr. DONOHUE. No, sir, I didn't. I just checked the records within the agency with Colonel Hanson, and reported to the Office of the Chief Signal Officer.

The CHAIRMAN. You assume that the stuff had been charged out to you, or you would not be questioned about it?

Mr. DONOHUE. That is right.

The CHAIRMAN. I would say that what we should do is go back a step and see whether it had actually been charged out to you; and if it had been, that means that the fifty-seven are still missing, even though they had been located, duplicate copies, in some other department.

Mr. DONOHUE. It is very difficult to say whatever happened, because those documents could have been sent to the agency and even returned to the chief signal officer, because, not having a record book and not having a register, it is impossible to determine from the record of the agency what happened.

The CHAIRMAN. It would seem rather significant that the registry book covering all fifty-seven was destroyed, the three registry books.

Mr. DONOHUE. I could never understand why that was done.

The CHAIRMAN. I think I asked you this before, but it would seem to me that that, in itself, would indicate that something improper had been done to the documents, the fact that the registry had just disappeared.

Mr. DONOHUE. I would make that assumption myself.

The CHAIRMAN. I think there is nothing further, unless you have something further to add.

Mr. DONOHUE. I don't think so.

The CHAIRMAN. We may want to call upon you again, and we will check with you later.

Thank you very much.

**TESTIMONY OF LOUIS KAPLAN (ACCOMPANIED BY HIS
COUNSEL, MORTON STAVIS) (RESUMED)**

The CHAIRMAN. Now, are you prepared to answer that question?

Mr. KAPLAN. Yes, sir. I will accept the answer that you gave on that question.

The CHAIRMAN. I did not answer the question. The question was: Do you feel a truthful answer would tend to incriminate you?

Mr. KAPLAN. The answer to that is yes.

The CHAIRMAN. Then you are entitled to the privilege.

Mr. SCHINE. How long have you known Ducore?

Mr. KAPLAN. It should be the past tense. I have not seen him within the last seven years.

Mr. SCHINE. When did you first meet Mr. Ducore?

Mr. KAPLAN. Probably at a union meeting. The question of knowing him is a very slight one. It is just a passing acquaintance, and it is not real knowledge or association, or anything like that.

Mr. SCHINE. Is Mr. Ducore a member of the Communist party?

Mr. KAPLAN. Well, I refuse to answer that question on the Fifth Amendment.

Mr. COHN. Did you ever attend any meetings with Mr. Ducore?

Mr. KAPLAN. What kind of meetings do you mean?

Mr. COHN. Any kind of meetings.

Mr. KAPLAN. I think possibly a union meeting, although—shall we continue?

[At this point Senator McCarthy left the room.]

Mr. SCHINE. Where did you get your schooling, or your college training?

Mr. KAPLAN. College of the City of New York.

Mr. SCHINE. City College?

Mr. KAPLAN. Yes, sir.

Mr. SCHINE. When did you first meet Julius Rosenberg?

Mr. KAPLAN. Will you repeat that again?

Mr. SCHINE. When did you first meet Julius Rosenberg?

Mr. STAVIS. I didn't hear the question.

Mr. SCHINE. When did you first meet Julius Rosenberg?

Mr. KAPLAN. I never met Julius Rosenberg.

Mr. SCHINE. You never met him?

Mr. KAPLAN. No.

[At this point Senator McCarthy entered the room.]

Mr. SCHINE. Do you know Mr. Marcel Ullmann?

Mr. KAPLAN. I did.

Mr. SCHINE. When did you first meet Mr. Ullmann?

Mr. KAPLAN. When I was working for the Signal Corps—and excuse me, can I make a correction in a statement I made before? On the years that I worked at Fort Monmouth, I put it '43 to 1947, and that is correct at Fort Monmouth, but I entered the Signal Corps in August of 1942.

Mr. SCHINE. Where were you stationed then?

Mr. KAPLAN. At Fort Hancock, and then I went to Philadelphia after that time.

Mr. SCHINE. Now, when did you first meet Mr. Ullmann?

Mr. KAPLAN. I don't recall. It was during the period I was working with the Signal Corps.

Mr. SCHINE. Marcel Ullmann?

Mr. KAPLAN. That is correct.

Mr. SCHINE. Did you attend Communist party meeting with Marcel Ullmann?

Mr. KAPLAN. I would invoke the privilege of the Fifth Amendment to that question.

Mr. SCHINE. Do you feel if you were to tell us whether you attended Communist meetings with Mr. Ullmann, that you would tend to incriminate yourself?

Mr. KAPLAN. I believe that was what Senator McCarthy said before.

Mr. SCHINE. Do you feel that you would?

Mr. KAPLAN. That is correct.

Mr. SCHINE. Do you know Bernard Martin, known as Bob Martin?

Mr. KAPLAN. Who is that?

Mr. SCHINE. Bernard Martin, known as Bob Martin.

Mr. KAPLAN. I don't know him, no.

The CHAIRMAN. How about Mr. Carl Greenblum?

Mr. KAPLAN. I never heard of him.

Mr. COHN. Samuel Pomerance?

Mr. KAPLAN. I don't recall him.

The CHAIRMAN. How about Julius Rosenberg?

Mr. KAPLAN. That question was asked me before.

The CHAIRMAN. Did you know him?

Mr. KAPLAN. I don't know him.

The CHAIRMAN. How about Sobell?

Mr. KAPLAN. I don't know him, either.

The CHAIRMAN. And Greenglass?

Mr. KAPLAN. I don't know him.

The CHAIRMAN. By "Greenglass" I refer to the man convicted of espionage.

Mr. KAPLAN. Yes, sir.

The CHAIRMAN. Did you ever engage in any espionage yourself?

Mr. KAPLAN. At no time did I ever engage in espionage, and I never will.

The CHAIRMAN. Did you ever remove any classified documents from any government agency?

Mr. KAPLAN. Unless I was on a job, I mean so ordered to fulfill my duties on the job.

The CHAIRMAN. Did you ever remove any classified documents from any government agency and turn those documents over to ei-

ther a Communist or to someone whom you knew was going to give them to a Communist?

Mr. KAPLAN. I never turned any documents over to anybody who was not authorized to receive them; that is, anybody or any party or any group.

The CHAIRMAN. Were you asked whether you are a Communist today, and you refused to answer?

Mr. KAPLAN. Yes, sir.

Mr. CARR. When was the last time that you have been in contact with anyone that works at Fort Monmouth?

Mr. STAVIS. Could we have the question again?

Mr. CARR. When was the last time that you had been in contact with anyone who works at Fort Monmouth?

Mr. KAPLAN. To the best of my recollection, it has been since I left there, about six and a half years.

Mr. CARR. You haven't been—when I say “contact,” I mean to your knowledge have you been in contact with any person working at Fort Monmouth for six and a half years since you left there?

Mr. KAPLAN. Well, it is one that taxes the memory.

Mr. CARR. That is right.

Mr. STAVIS. Hold that just a moment. Could we have the question read?

[The question was read by the reporter.]

The CHAIRMAN. You understand by “contact,” counsel means either by telephone or by letters or personally.

Mr. KAPLAN. Let us put it this way: For the most part no, but it is possible that I may have had contact with one of these guys or two of these guys, and I don't know, for the last six and a half years. The general practice has been that I haven't had any relationship with anybody I used to work with at the Fort.

The CHAIRMAN. Has anyone from the Signal Corps or any other branch of the government given you any classified material since you left the Signal Corps?

Mr. KAPLAN. Nobody, no, and none.

The CHAIRMAN. Did you have access to information on radar screens?

Mr. KAPLAN. The nature of my work, Senator McCarthy, was one of—I wish I had brought that commendation down. It was in the main, coordination work between the army and the navy, to get two discordant bodies together, on a question of standardizations for plastic materials. It was very rarely involved with any highly classified information, and at the most maybe confidential or something like that.

The CHAIRMAN. Do you recall that you had access to material having to do with the radar screens?

Mr. KAPLAN. No, I don't recall.

The CHAIRMAN. Anything to do with radar?

Mr. KAPLAN. Access to any information, you mean?

The CHAIRMAN. Yes.

Mr. KAPLAN. Well, the only thing on that was that when I entered the Signal Corps in August of 1942, I was sent to the Philco Radio School, which was at Philadelphia.

The CHAIRMAN. Who gave you the commendation?

Mr. KAPLAN. Major General—

The CHAIRMAN. Don't you remember who?

Mr. KAPLAN. I don't recall.

The CHAIRMAN. If you do not know, that is all.

Mr. KAPLAN. I have it here right now, Senator.

The CHAIRMAN. Do you know Mr. Levitsky?

Mr. KAPLAN. No, sir.

The CHAIRMAN. You did not know Levitsky, Joseph Levitsky?

Mr. KAPLAN. No.

The CHAIRMAN. What are you doing now?

Mr. KAPLAN. At the present moment—

The CHAIRMAN. You have answered that. All right. The last time you drew money from the government was in 1947?

Mr. KAPLAN. I believe it was, yes, sir.

The CHAIRMAN. Have you ever received any money from the Communist party?

Mr. KAPLAN. I refuse to answer that question on the grounds of the Fifth Amendment.

The CHAIRMAN. Did you receive money from the Communist party while you were working in the Signal Corps?

Mr. KAPLAN. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Did you receive any money from the Communist party for any work you did for the Communist party in connection with your work in the Signal Corps?

[The witness conferred with his counsel.]

Mr. KAPLAN. Can you repeat that again?

The CHAIRMAN. I will be glad to. Did you ever receive any money from the Communist party for any services which you performed for the Communist party which also had a relation to or connection with your work in the Signal Corps?

[The witness conferred with his counsel.]

Mr. STAVIS. May I hear the question again?

[The question was read by the reporter.]

[The witness conferred with his counsel.]

Mr. KAPLAN. I think in a previous question as to whether I ever received any money from the Communist party, I indicated I had never received—indicated I refused to answer that question.

The CHAIRMAN. Are you refusing to answer this question?

[The witness conferred with his counsel.]

The CHAIRMAN. If you feel a truthful answer would tend to incriminate you, you can refuse. Otherwise, you are not entitled to refuse.

Mr. KAPLAN. Yes, my counsel advises me to answer on the privilege of the Fifth Amendment.

The CHAIRMAN. I have nothing further. You are excused for the time being, and you will be recalled at a later date. So you will consider yourself under subpoena, and keep your counsel informed as to where you are so that the staff can notify your counsel when you are wanted.

Mr. KAPLAN. How will I be notified? Through another subpoena?

The CHAIRMAN. No, through your counsel.

Mr. COHN. What is your address?

Mr. STAVIS. 744 Broad Street, Newark; Market 3-1072. I would be grateful, since I am in the general practice of law, if you could call me reasonably in advance.

The CHAIRMAN. If you find that you are tied up in some important legal work at the time, courtroom work, if you will inform Mr. Cohn he will work it out with you.

Mr. SCHINE. Mr. Kaplan, I have one more question. Did you discuss with Marcel Ullmann orders that you or Mr. Ullmann were to carry out for the Communist party?

Mr. KAPLAN. I refuse to answer that on the privilege of the Fifth Amendment.

Mr. SCHINE. Did some of those orders involve turning over secret papers to the Communist party?

Mr. KAPLAN. I already indicated to Senator McCarthy that I never at any time handed any secret papers to anybody.

Mr. SCHINE. I am not talking about handing them. I am talking about discussion.

Mr. KAPLAN. Discussions or anything in relation to any secret papers, I have never discussed them with anybody.

The CHAIRMAN. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. JACK L. FROLOW. I do.

TESTIMONY OF JACK L. FROLOW

Mr. COHN. Will you give your full name, please?

Mr. FROLOW. Jack L. Frolow.

Mr. COHN. Will you spell it?

Mr. FROLOW. F-r-o-l-o-w.

Mr. COHN. Where do you work?

Mr. FROLOW. Fort Monmouth, engineering laboratories.

Mr. COHN. Which laboratory?

Mr. FROLOW. Watson.

Mr. COHN. Is that under the air force or the Signal Corps?

Mr. FROLOW. Well, it is the Signal Corps, it is the old name.

Mr. COHN. They use the old name, but it is known as the Signal Corps?

Mr. FROLOW. Yes, sir.

Mr. COHN. Do you have access to any classified material?

Mr. FROLOW. I am cleared for secret matters, sir.

Mr. COHN. For how long a period of time have you been employed at Monmouth?

Mr. FROLOW. I have been at Monmouth since 1949, that is not exact, but approximately.

Mr. COHN. Did you work for the government at all before that?

Mr. FROLOW. Yes, I was employed by the Signal Corps Procurement in First Avenue, 59th Street, in 1940, and I worked for the inspection division, succeeding all of those years, until 1949 when I was transferred over to the laboratories.

Mr. COHN. When were you in the inspection service?

Mr. FROLOW. Since 1940, until 1949.

Mr. COHN. Did you know Julius Rosenberg?

Mr. FROLOW. I don't think that I know him there. I don't know him personally. I may have seen him around, but his face looked familiar to me and I saw his pictures in the paper.

Mr. COHN. Do I accurately state the substance, that you know you have seen him around, but you don't have any personal recollection?

Mr. FROLOW. Not in the Signal Corps.

Mr. COHN. You do recognize the face?

Mr. FROLOW. I recognized the face in the papers, when I saw it.

Mr. COHN. Where did you know him?

Mr. FROLOW. Well, that is the point. He went to City College and I think he got out in 1938, and I got out in February of 1940, so I must have seen him around the Tech School, but I don't remember him as a personality.

Mr. COHN. Did you know Marcel Ullmann?

Mr. FROLOW. No, sir, I do not.

Mr. COHN. Do you know Morton Sobell?

Mr. FROLOW. I think only, not personally; but I think he went to City College at the same time and I recognized his face.

Mr. COHN. Did you know him at City College?

Mr. FROLOW. Not personally, no.

Mr. COHN. Did you know Aaron Coleman?

Mr. FROLOW. Aaron Coleman, I saw his picture in the newspapers the day before yesterday or so and I recognized him as going to City College about the same time.

Mr. COHN. Now, did you recognize him as someone you had seen around Monmouth?

Mr. FROLOW. I have never seen him around Monmouth.

Mr. COHN. How about Harold Ducore?

Mr. FROLOW. I don't know him at all.

Mr. COHN. How about Bob Martin?

Mr. FROLOW. He lives with me.

Mr. COHN. For how long a period of time has he lived with you?

Mr. FROLOW. I have been living in that house for about two years and I had a room upstairs and I moved downstairs about a year ago.

Mr. COHN. Who else lives there?

Mr. FROLOW. Dave Raskin, and Greenbaum.

Mr. COHN. You have been living there for how long?

Mr. FROLOW. Downstairs about a year, I would say, and upstairs I lived about a year, and I had a room upstairs.

Mr. COHN. How long has Mr. Morton been living there?

Mr. FROLOW. I think Bob has been there for sometime, and I wouldn't know, but it was long before I got there.

Mr. COHN. How did you happen to move there? Was it through him?

Mr. FROLOW. No, I met a fellow by the name of Max Singer at the labs through work, and I was an inspector in the meteorological department, and when I transferred to the fort he was around there and he works for the same P & MR Division, and so for about two or three years I lived by myself, and I got tired of that, and I was on travel duty a lot and so when I got off travel duty and went to work in the chief's office I had to get some permanent residence, and I would rather be around fellows my own age and who

are bachelors, and so I moved in upstairs, and when one of the fellows got married downstairs.

Mr. COHN. Did you know Vivian Glassman?

Mr. FROLOW. No, sir.

Mr. COHN. How about William Mutterperl?

Mr. FROLOW. No.

Mr. COHN. Max Elicher?

Mr. FROLOW. No.

Mr. COHN. Milton Klein?

Mr. FROLOW. No. There is a Milton Klein, or Bill Klein used to work for inspection, I am sorry, there are two Bill Kleins work for inspection.

Mr. FROLOW. Your testimony is you did not know Rosenberg at City College?

Mr. FROLOW. Not personally. It is fourteen or fifteen years ago, and I may have bumped into him in the hall but I don't remember him as a personality at all.

Mr. COHN. All right, you are excused. Thank you.

The CHAIRMAN. Would you stand and be sworn? In this matter now before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. LEWIS. I do.

TESTIMONY OF BERNARD LEWIS

Mr. CARR. Mr. Lewis, where are you presently employed?

Mr. LEWIS. I am not employed at the present in the laboratories. I was suspended on August 19 of this year.

Mr. CARR. On August 19 of this year?

Mr. LEWIS. Yes.

Mr. CARR. On what ground?

Mr. LEWIS. There were three charges which I answered in affidavits subsequently, and do you want me to enumerate those charges?

Mr. CARR. Yes.

Mr. LEWIS. The first was that the army had apparently information to the effect that I and my wife had been dropped from the Communist party in 1940 to do mass work. That was the first charge. And the second charge was I had signed a nominating petition for a Communist candidate in Brooklyn, Catsione, and my sister-in-law also signed it, plus another affidavit, earlier, in 1941. And the third item was that a fellow named Paul Satulow had used my name in an application for a government job. Federal job. He used my name as a reference. I answered those charges.

Mr. CARR. What was your answer to the charge number one?

Mr. LEWIS. Neither I nor my wife ever belonged to the Communist party.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. LEWIS. Never.

Mr. CARR. Were you ever solicited to join the Communist party?

Mr. LEWIS. No, sir; I never was.

The CHAIRMAN. Did you ever belong to any organizations that were at the time you belonged to them or subsequently listed as fronts for the Communist party by the attorney general?

Mr. LEWIS. No, sir; there is an involved explanation which I tried to explain in the affidavit that I submitted. Shall I go into that?

The CHAIRMAN. I think it would be a good thing.

Mr. LEWIS. Back in 1937 and early in 1936, there used to be a social and athletic club on the corner of Neptune Avenue and Cortlandt Street, in the Coney Island section of Brooklyn. My brother-in-law was the president and I had other friends there. My wife and I attended dances there, and played ping-pong and other athletic things.

The CHAIRMAN. That was a social club?

Mr. LEWIS. A social and athletic club, and nothing else was involved. They moved out early in 1937, I believe, and a few months after that the Young Communist League rented the building and I and my wife weren't going steady at the time, and we were just dating occasionally. We both attended dances there, the same as we had done at the social club.

The CHAIRMAN. You attended dances, you say you were attending dances when the social club operated the building, and when the Young Communist League took over that you continued going to dances?

Mr. LEWIS. That is right, and we continued going to the dances. Well, that was in 1937, and early in 1938, perhaps. I was married at the end of 1938, in December of 1938. We never went there any more, and as a matter of fact I didn't want to go there, and we went there, and they did try to get us to join and influence me but I just wasn't interested in that sort of stuff, and I tried to avoid them, and I put them off. But I feel that they had our names in some way, and have used them in some way to implicate me with the Communist party, when I have done nothing at all.

The CHAIRMAN. Let me say for your benefit that it is more than your names. Your pictures are shown attending these functions at the Young Communist League, and let me ask you this: Aside from the dances, did you attend any other meetings at the Young Communist headquarters?

Mr. LEWIS. I don't believe I did, no.

The CHAIRMAN. Would they have speakers at the dances, ever?

Mr. LEWIS. I don't recall, I don't think so.

The CHAIRMAN. Did you ever do any talking yourself at any of those dances?

Mr. LEWIS. No.

The CHAIRMAN. Did you ever attend any meetings other than those dances at the Young Communist League?

Mr. LEWIS. I will tell you one thing I did do there. They had a little photographic club, and they asked me once to show them a couple of things, and as I was pretty good as an amateur, and I did do that.

The CHAIRMAN. Did you operate the motion picture machine, was that it?

Mr. LEWIS. No.

The CHAIRMAN. I don't quite follow you. You said a photographic club?

Mr. LEWIS. Just an amateur photographic club. We were all young kids at this time.

The CHAIRMAN. Did you show the pictures that you had taken?

Mr. LEWIS. No, it was just to exchange information and ideas.

The CHAIRMAN. On photography?

Mr. LEWIS. Yes.

The CHAIRMAN. And you gave some talks or lectures on that, or what did you do?

Mr. LEWIS. I think only once I just wrote them some very elementary ideas of how pictures were developed and finished.

The CHAIRMAN. You explained how to develop your negatives?

Mr. LEWIS. That is right, and principles, and I think it was mostly prints.

The CHAIRMAN. You explained the workings of the various types of cameras, did you?

Mr. LEWIS. I don't think I went into anything else, really, that was important.

The CHAIRMAN. Do you know why your picture would have been taken over at the Young Communist headquarters?

Mr. LEWIS. Why my picture had been taken?

The CHAIRMAN. Yes.

Mr. LEWIS. No, anybody would have taken my picture there.

The CHAIRMAN. But that would not have been in connection with your lectures on cameras and such things?

Mr. LEWIS. Maybe somebody had a camera and was using it as an amateur photographer.

The CHAIRMAN. Did you ever demonstrate how the Minnox camera was operated?

Mr. LEWIS. No, I never saw one of those myself.

The CHAIRMAN. Did you ever operate a Minnox?

Mr. LEWIS. No.

The CHAIRMAN. Have you ever seen one?

Mr. LEWIS. No, I have a Leica myself which I have always used, practically ever since I have bothered with cameras, but I have never bothered with the Minnox. I have seen pictures of it.

The CHAIRMAN. How many cameras do you have?

Mr. LEWIS. I have a Leica, and a view camera, five by seven, and a plate camera for flash pictures, nine by twelve.

The CHAIRMAN. Have you ever been accused by any of your co-workers with having a camera over at the Signal Corps headquarters?

Mr. LEWIS. No, sir.

The CHAIRMAN. Did you sign a pledge to support a Communist party candidate on a number of occasions?

Mr. LEWIS. I probably did, if you have that record. It is very vague to me, and I don't remember exactly who might have asked me. It might have been someone who knew me quite well to get me to sign it, because frankly I would have avoided signing anything like that, otherwise.

The CHAIRMAN. Well, now, it has been testified that you signed a petition or pledge to support a Communist party candidate after the Hitler-Stalin Pact, and I mention that because after that many people who perhaps didn't recognize the danger of communism were jarred a bit, and they would hesitate in signing a pledge. Do you recall having signed the pledge to support the Communist party?

Mr. LEWIS. Not the Communist party, just the nominating petition for Castione and the other persons. Is that what you mean, Senator?

The CHAIRMAN. Well, didn't you sign more than one?

Mr. LEWIS. I don't remember signing any, and I was told I signed that one and there were probably two or three names on it, but it was just one.

The CHAIRMAN. Were you shown your signature?

Mr. LEWIS. No, sir. I wouldn't deny it, because I know I was asked many times to sign and I always tried to avoid them, but apparently this one time I did sign it.

The CHAIRMAN. Did you know Julius Rosenberg?

Mr. LEWIS. No, sir.

The CHAIRMAN. Did you ever meet him?

Mr. LEWIS. No, sir.

The CHAIRMAN. Did you go to college?

Mr. LEWIS. I didn't go to college, sir, my engineering rating is on a practical basis, from work I did at the laboratory.

The CHAIRMAN. Did you know Mr. Carl Greenblum?

Mr. LEWIS. No, sir; I don't recall that name at all.

The CHAIRMAN. You don't recall having met him, having met Mr. Greenblum? He works over at the Signal Corps.

Mr. LEWIS. No, sir, I don't know who he is at all.

Mr. CARR. Did you say it was your brother-in-law, or what was that about?

Mr. LEWIS. In the social club, it was my brother-in-law, he was the president.

Mr. CARR. What was his name?

Mr. LEWIS. William Rogers.

Mr. CARR. Now, this social club was subsequently taken over by the Young Communist League?

Mr. LEWIS. It was just a building, and the club broke up, and then it left the building, and the Young Communist League apparently came along and rented the building.

Mr. CARR. And you continued to go to activities at this place?

Mr. LEWIS. The facilities are still there, and they still have the ping-pong table in the basement.

Mr. CARR. Was your brother-in-law active in the new organization that took over?

Mr. LEWIS. No.

Mr. CARR. Did he go also?

Mr. LEWIS. No, sir; he didn't go at all.

Mr. CARR. At the time that you went, you knew this was the Young Communist League?

Mr. LEWIS. Yes, I knew it, and actually in those days, we didn't have very much money to speak of, and I worked on and off, and it was just a possibility of going somewhere where we could spend the evening without spending much money, or have a good time, and they had the facilities there and everything, and it was like a bunch of kids trying to get something for nothing. I wasn't the only one who went there, and I am sure that other boys and girls went who were not Communists. We went to have some fun, and maybe some of them were converted, I don't know.

Mr. CARR. That may be so, but subsequently, you signed a petition to support a Communist candidate.

Mr. LEWIS. That is something that goes on all of the time, especially in that section of Brooklyn, and it was a big Communist movement, and during those years you would see them out on the street corner with bridge tables, with petitions for this and petitions for that, and there were all kinds of things.

Mr. CARR. Are you in the habit of signing petitions without knowing what they are?

Mr. LEWIS. No, I am not in the habit of signing, and it was a sort of time when you got a little lull. First of all, if I remember, the Russians had already joined World War II on the Allied side, and there wasn't so much anti-Communist doing like there is today, and people realize what is going on, and it was a sort of a debatable subject in those days whether it was good or bad, and they hadn't done any harm that we knew of to people like you know about today.

The CHAIRMAN. For your information, the information we have may not be accurate, but just so that you will know what it is, you signed the pledge to support a Communist candidate during the Hitler-Stalin Pact, that is while Russia was not in the war on our side.

Mr. LEWIS. I believe the date was August of 1941, and I believe Russia was attacked in June of 1941.

The CHAIRMAN. It is your recollection that it was 1941 that you signed the petition?

Mr. LEWIS. It was August or September.

The CHAIRMAN. You were accused of signing several petitions.

Mr. LEWIS. Apparently one petition with several names on it, and it was just what I remember from the charges.

Mr. CARR. Now, there was another specification in your letter, and that was the third specification.

Mr. LEWIS. A fellow named Paul Satulow whom I knew as a child, who lived on West Second Street in Coney Island when I was about seven years old, when I first met him, and he lived in the same neighborhood for a number of years, and he subsequently moved away from there and I moved away from there, and I couldn't have been more than sixteen years old, and I seldom saw him after that except once in a while maybe on the beach or the boardwalk in Coney Island.

Mr. CARR. When was the last time you saw him?

Mr. LEWIS. I don't know exactly, it may have been in 1940 or 1941, because it was such a chance thing, and I don't know exactly.

Mr. CARR. Did you know he was suspected with being connected with the Communist party?

Mr. LEWIS. I had an idea but I don't know for sure.

Mr. CARR. Had he attended these so-called social meetings at the Young Communist League?

Mr. LEWIS. I don't think so, and he was an older fellow, and he was older than I was.

The CHAIRMAN. Did you go to his home?

Mr. LEWIS. Let me see if I did. If I did it must have been maybe 1937 or 1938.

The CHAIRMAN. Weren't you at his home a number of times after you worked for the Signal Corps?

Mr. LEWIS. I don't think so, no.

The CHAIRMAN. Don't you recall that you and your wife went to his home for dinner?

Mr. LEWIS. My wife and I?

The CHAIRMAN. Yes.

Mr. LEWIS. I may have visited him once.

The CHAIRMAN. Didn't you actually visit his home a number of times between 1945 and the present?

Mr. LEWIS. If I went there, he lived on the East Side and we couldn't get there very easily, and I didn't especially want to go to his place.

The CHAIRMAN. Did he come to your home?

Mr. LEWIS. He never came to my house at all.

The CHAIRMAN. Did you and he attend any meetings at someone else's home?

Mr. LEWIS. No, sir.

The CHAIRMAN. Dinners, or social gatherings?

Mr. LEWIS. No.

The CHAIRMAN. Are you sure of that?

Mr. LEWIS. I saw him once, and I think this is the recollection of it, that I remember. My wife's brother got married, and the girl he married lived over here on the East Side, and I think we dropped in on him that time, and we went to see her that one time.

The CHAIRMAN. Did he ask you to join the Communist party?

Mr. LEWIS. No, sir.

The CHAIRMAN. Did you know that he was engaged or suspected of having engaged in espionage activities?

Mr. LEWIS. I didn't know at all.

The CHAIRMAN. Who asked you to join the Young Communist League?

Mr. LEWIS. I don't know exactly. There were people there who were trying to recruit members, I suppose, and they are always trying to get people to join.

The CHAIRMAN. You do not recall who it was?

Mr. LEWIS. No, I couldn't remember.

The CHAIRMAN. Did you ever pay any money to the Young Communist League?

Mr. LEWIS. I don't think so, unless it was maybe raffles or something like that.

The CHAIRMAN. Did your wife ever join the Young Communist League?

Mr. LEWIS. As far as I know, she didn't. She tells me she didn't.

The CHAIRMAN. Did either of you ever get a card or anything showing you had paid dues, or that you were recognized as members?

Mr. LEWIS. I don't think so.

The CHAIRMAN. You say no?

Mr. LEWIS. Paid dues card?

The CHAIRMAN. Did you ever get a card that you carried?

Mr. LEWIS. No, I don't think so.

The CHAIRMAN. When you went to the dances, did you not always show a card?

You did not?

Mr. LEWIS. No.

The CHAIRMAN. A Communist or non-Communist could go to the dance?

Mr. LEWIS. Anybody could come.

The CHAIRMAN. Just by paying?

Mr. LEWIS. There was admission free, or sometimes they run them free, I think. They ran them without charge, open nights like that.

The CHAIRMAN. Did they take up collections there for the *Daily Worker* or anything like that?

Mr. LEWIS. They may have, and I don't know.

Mr. CARR. Was there a fourth specification?

Mr. LEWIS. On the charges? Not that I know of.

Mr. CARR. So that, in summary, you were admittedly at what have been reported to be meetings of the Young Communist League?

Mr. LEWIS. I don't know if I attended meetings, and I don't know.

Mr. CARR. You were at their place?

Mr. LEWIS. Maybe there was a meeting going on sometime.

Mr. CARR. But you were there, and you know that this Satulow was a member of the Communist party?

Mr. LEWIS. I don't know if he was a member. I thought he had some connections, yes.

Mr. CARR. And yet you continued your association with him, even after you went to work for the government?

Mr. LEWIS. I didn't continue that. I visited him just once that I have mentioned, and it wasn't because I wanted to. We happened to be a few doors away from his place, and we dropped in to say hello. That is about all that it amounted to. I never saw him otherwise, that I know of. I just remember that now, and I don't think that I recalled it before.

Mr. CARR. You just happened to go to the Young Communist League affairs, and you just happened to drop in on this man, and you just happened to sign a signature on a Communist party petition?

Mr. LEWIS. It looks very damaging, I know, but I have no Communist leanings, and I don't feel that way at all, and I hate everything that is connected with it.

Mr. CARR. And you are not now a member of the Communist party?

Mr. LEWIS. And I never was a member of the Communist party.

Mr. CARR. Were you a member of any of the so-called Communist fronts?

Mr. LEWIS. No, sir.

Mr. CARR. Other than this Young Communist League?

Mr. LEWIS. I don't think I ever belonged to anything else.

Mr. CARR. How old are you, sir?

Mr. LEWIS. I am thirty-eight now.

Mr. CARR. You are thirty-eight?

Mr. LEWIS. Yes.

Mr. CARR. Were you a member of the American Youth for Democracy?

Mr. LEWIS. No, sir.

Mr. CARR. When was the last time that you went to the young Communist building?

Mr. LEWIS. I don't know. It must have been sometime towards the end of 1938, perhaps. Once I was married, then my wife didn't want to go there any more, and I didn't care for that sort of stuff—period.

Mr. CARR. Is your hobby photography?

Mr. LEWIS. Yes, sir.

Mr. CARR. Do you develop your own film?

Mr. LEWIS. Oh, yes.

Mr. CARR. You have a laboratory?

Mr. LEWIS. I have a dark room, yes.

Mr. CARR. Have you maintained contact with persons working at Fort Monmouth since you were suspended?

Mr. LEWIS. No, I haven't. I just didn't want to embarrass them in any way. They got worried about that.

The CHAIRMAN. Have you any idea why you were accused of having gone underground in 1940?

Mr. LEWIS. I have no idea at all.

The CHAIRMAN. That was a charge, that you and your wife went underground.

Mr. LEWIS. We were dropped to do mass work, that is what the charge said. I have never had any connection with the Communist party whatsoever. That is what is so strange about it.

The CHAIRMAN. Did you ever remove any classified material from the Signal Corps?

Mr. LEWIS. No, sir, I never did.

The CHAIRMAN. You never had your cameras in the Signal Corps?

Mr. LEWIS. No, sir, and I was particularly aware of that, since I was pretty well known as an amateur photographer.

The CHAIRMAN. When you made this one visit to the Communist East Sider to drop in and say hello to him, did you discuss Communist matters, or give him any documents, or did he give you any?

Mr. LEWIS. You must remember, I knew this man many years, and whatever his politics was, it is just something that you remember all of the time, and you can't drop everybody.

The CHAIRMAN. I think that is all.

I may say it is not the function of this committee to decide anything at all in your case. All we do is get all of the evidence that is available, and get your story, and turn it over to the army.

Mr. LEWIS. I imagine there will be a hearing coming up sometime.

The CHAIRMAN. I think the army loyalty board will hold a hearing. I am inclined to think so. I do not know if we will want you any further or not, and I wish you would consider yourself under subpoena, however. If we want you we will notify you.

Mr. LEWIS. Whatever the army decides on this hearing, I am perfectly willing to go along with it, and I don't want anyone to feel I am disloyal or anything like that.

The CHAIRMAN. Thank you very much.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRENSHAW. I do.

TESTIMONY OF CRAIG CRENSHAW

Mr. CARR. Your name is Craig Crenshaw?

Mr. CRENSHAW. That is correct.

Mr. CARR. Where are you presently employed?

Mr. CRENSHAW. At Signal Corps Engineering Laboratories, Fort Monmouth, New Jersey.

Mr. CARR. Is that Evans Laboratory?

Mr. CRENSHAW. Yes; specifically the sub laboratory.

Mr. CARR. What is your particular position?

Mr. CRENSHAW. I am a physicist, and section chief.

Mr. CARR. Are you cleared for secret, or up to secret or higher?

Mr. CRENSHAW. I am cleared up to secret and higher.

Mr. CARR. Have you ever been reprimanded for anything whatsoever during your employment by the Signal Corps?

Mr. CRENSHAW. No, I have not, not that I can remember of at present.

Mr. CARR. You were never reprimanded for having classified material in your possession at home or away from the laboratory?

Mr. CRENSHAW. Not to my knowledge.

Mr. CARR. Were you ever reprimanded for having left classified material in an insecure position at the laboratories?

Mr. CRENSHAW. I don't recall of any instance that way. I have been working there many years, and I think that I would remember it.

Mr. CARR. Do you have any reason to believe that you have been under investigation by an intelligence agency in the last year?

Mr. CRENSHAW. Yes. I have been informed everybody at my level of clearance was being investigated periodically, and more than once a year, anyway.

Mr. CARR. Do you have any reason to believe that your security clearance should be lifted?

Mr. CRENSHAW. None whatsoever. I don't quite understand the reason for such a question.

Mr. CARR. Well, I am asking you if you have any reason to believe or do you know of anything in your background which might lead to such a suspension?

Mr. CRENSHAW. I still don't understand this. I know of nothing in my background that would lead to this.

Mr. CARR. That is the answer.

Mr. CRENSHAW. I know of people, I have heard of people who may be attempting to vilify my character; depending upon who is evaluating information, they can make their own choices, and that isn't my business. That is the business of somebody else.

Mr. CARR. Could you enlighten us a little on this last statement, that these people may have said things against your character?

Mr. CRENSHAW. Well, it is only hearsay, and that is the reason I don't like to repeat it.

Mr. CARR. It may shed light on something.

Mr. CRENSHAW. But I supported an unsatisfactory efficiency rating against an individual, and the individual, I know, is a man who cannot be trusted, in that he will tell a story sufficiently, in my opinion, that he will believe them after a while, and on that basis I would not put it at all past him to maybe be saying something bad about me, and I don't know.

The CHAIRMAN. What does he say? Does he say you were a Communist?

Mr. CRENSHAW. I don't know what he would say, and I have no idea, and I don't see how he could say anything like that, because it can't be true.

The CHAIRMAN. I am rather curious about this individual. Does he work with you?

Mr. CRENSHAW. No, no longer; after I saw he wasn't any good I requested he be transferred, and indicated the reason, and he was transferred to some other place and continued in the same manner, unsatisfactory efficiency rating was given by the second man, and I supported it because, in my judgment, that was the case.

The CHAIRMAN. What is his name?

Mr. CRENSHAW. Which man?

The CHAIRMAN. The man you mention, telling stories about you.

Mr. CRENSHAW. Just a minute, Mr. Chairman.

The CHAIRMAN. Who might tell stories about you.

Mr. CRENSHAW. Let us get the record straight. Harry Bryant. It is a matter of record that I supported an unsatisfactory efficiency rating on him.

Mr. CARR. Is that the one by Dr. Daniels?

Mr. CRENSHAW. Yes, Dr. Daniels gave him an unsatisfactory efficiency rating, and I have heard rumors, gossip to a great extent, that he was spreading stories about one of us, and I assume automatically he is probably doing it about both of us, and it is characteristic of the individual. And however successful, I believe the efficiency system had a basis for it, and I assume that people would consider cases like this in the light of what they were set up for.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. CRENSHAW. No.

The CHAIRMAN. You were never asked to join the Communist party? How about the Young Communist League?

Mr. CRENSHAW. I never heard of it. I have seen it on lists, banned lists.

The CHAIRMAN. Did you ever attend any meetings of the Communist party?

Mr. CRENSHAW. No, I haven't attended any meetings of the Communist party.

The CHAIRMAN. And never paid any money to the Communist party?

Mr. CRENSHAW. Definitely not.

The CHAIRMAN. Have you ever removed any classified material from the Signal Corps?

Mr. CRENSHAW. Would you please define your terms a little closer?

The CHAIRMAN. Any classified material.

Mr. CRENSHAW. By "removing," I mean.

The CHAIRMAN. Did you ever take any out of the building?

Mr. CRENSHAW. Yes, just last week or ten days ago I was listed as an official courier and carried some classified documents to Washington.

The CHAIRMAN. I mean other than when you were doing this in the course of your work, did you remove any classified material?

Mr. CRENSHAW. I have never removed any classified material other than in the line of duty.

The CHAIRMAN. I get the impression that as far as this fellow Harry Bryant is concerned, you feel he doesn't have any great love for you because of the unsatisfactory fitness report, and you would not consider him too reliable a witness?

Mr. CRENSHAW. On the basis of the months that I spent on a field trip with him, I discovered that stories that he told at the laboratories before we left, about what he had to do with the invasion of Europe, were ridiculous. However, they got more ridiculous as time went on. When I investigated to find out the truth of the situation, he had been sent over to Europe to do something and he was returned, and I gathered this, and I can't vouch for all of the details, but he was returned immediately because he turned out to be one of the group that was incompetent.

So it was one of these situations where, when I was asked for an honest appraisal of the man, I gave it, letting the chips fall where they might.

The CHAIRMAN. I may say, Mr. Crenshaw, that the committee has practically no information about you at all. We have statements from several witnesses, and nothing of great importance. You are merely called here to have you do what you did today—give us whatever story you had to give. I do not think we will have any further use for you. This is an executive session, and we do not tell the press or anyone else that you were here. One of the reasons is that we know we have got to call a lot of good, loyal Americans here to get the complete story, and if the names are given out, some people will think that they are automatically expected to be Communists. So the only way your name will be used is if you give it out yourself. We do not give out your name, and no one will know you were here unless you give the press your own name.

Mr. CRENSHAW. Is that all?

The CHAIRMAN. That is all. Thank you very much.

Mr. CRENSHAW. Thank you.

The CHAIRMAN. In case we should want any further information, we will call you, but I do not think we will.

[Whereupon, at 4:10 p.m., the hearing was recessed until 10:30 a.m., Wednesday, October 14, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—A radar specialist at Fort Monmouth, Aaron H. Coleman had been officially reprimanded in 1946 for taking home classified documents. He explained that he had been authorized to take restricted materials home to work overtime on important projects, but conceded possible violation of army regulations in not keeping them in a more secure location. Coleman testified publicly on December 8 and 9, 1953, at which time portions of his executive testimony were read into the record. At a press conference, Senator McCarthy linked Coleman to the Signal Corps documents that had surfaced in East Germany and announced that the subcommittee would refer Coleman's case to the Department of Justice to consider indictment for espionage and perjury. However, since no evidence of espionage was produced, the Justice Department took no action. In 1958 Aaron Coleman regained his federal employment rights. He returned to work at Fort Monmouth and retired from government service in 1978. Harold Ducore, Samuel Pomerantz, and Hyam G. Yamins (1910–2000) did not testify in public session.]

WEDNESDAY, OCTOBER 14, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:30 a.m., pursuant to recess, in room 36 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel.

Present also: Hon. Robert T. Stevens, secretary of the Department of the Army; and John Adams, counselor to the secretary of the Department of the Army.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DUCORE. I do.

TESTIMONY OF HAROLD DUCORE (ACCOMPANIED BY HIS COUNSEL, HARRY GREEN)

Mr. GREEN. My name is Harry Green, and I am an attorney representing Mr. Ducore.

The CHAIRMAN. Mr. Ducore, will you give the reporter your full name?

Mr. DUCORE. Harold Ducore, D-u-c-o-r-e.

The CHAIRMAN. Just for the record, will counsel give his name and address?

Mr. GREEN. Harry Green, 16 Church Street, Little Silver, New Jersey.

The CHAIRMAN. I believe this is the first time you have appeared before the committee, Mr. Green, so we will try to run over the general rules.

The general rules here, Mr. Green, are that at any time your client cares to discuss anything with you, he has an absolute right to break into his testimony at any time. If at any time you want to have a private conference with your client, we will arrange a room for that. The only prohibition we have is that counsel himself cannot take part in the proceedings, and he must do it through his client.

Mr. GREEN. For example, if Mr. Ducore wants to consult with me, he should make a request?

The CHAIRMAN. Any time you want to consult with him, you can stop him, but we do not allow counsel to engage in lengthy arguments and objections and that sort of thing. If counsel thinks a question is objectionable, he can tell his client. The purpose of that, I might say, is that we have had experience in the past with some attorneys who have been purposely long-winded to make it difficult to hold a hearing.

Mr. GREEN. I have attended many legislative hearings, and I appreciate your position, and I don't think that there will be any difficulty.

The CHAIRMAN. Mr. Ducore, where are you presently working?

Mr. DUCORE. At the Signal Corps Engineering Laboratories.

The CHAIRMAN. And how long have you worked there?

Mr. DUCORE. Since June 9, 1941.

The CHAIRMAN. Since June 9, 1941?

Mr. DUCORE. Yes, sir.

The CHAIRMAN. And are you still working, or have you been suspended?

Mr. DUCORE. I was suspended on the 28th of September, 1953.

The CHAIRMAN. And were letters of charges served upon you at that time?

Mr. DUCORE. Yes, there were.

The CHAIRMAN. And do you have the letters of charges with you?

Mr. DUCORE. No, I don't have them.

Mr. GREEN. I don't either.

Mr. DUCORE. I know what the charges are.

The CHAIRMAN. I think we have them. What were in the letters of charges?

Mr. DUCORE. The first one was that I was a member of the UPW, United Public Workers, a CIO union, and that was cited because it was reported that Communists had infiltrated the union.

The second charge was that I was reported to have made a statement that the Russians knew how to treat people; this country was too liberal.

The third charge, I was reported to have associated with an Albert Sockel, a reported Communist.

And then they introduced my wife, saying I was married to Alice Chammer Ducore, who had also been a member of the union, who was reported to have made pro-Communist statements, and who was reported to have associated with a Louis Kaplan, also a reported Communist.

The CHAIRMAN. I think counsel has some questions.

Mr. CARR. Mr. Ducore, you have just finished reciting the charges set out in the letter.

Mr. DUCORE. As best I remember, yes.

Mr. CARR. Did you tell the chairman the length of time you have been at Fort Monmouth?

Mr. DUCORE. Yes, I have.

Mr. CARR. Since 1941?

Mr. DUCORE. That is right.

Mr. CARR. And have you given the chairman your educational background?

Mr. DUCORE. No, sir.

Mr. CARR. Would you do that, please?

Mr. DUCORE. Do you want to start away back in college?

Mr. CARR. Your high school and college.

Mr. DUCORE. I went to Woodcut High School in New York City. Do you want the dates?

Mr. CARR. Yes.

Mr. DUCORE. January or February of 1931 until January of 1935, and then I went to the College of the City of New York, and I graduated from there in June of 1941, with a bachelor of science degree in electrical engineering. I am not sure of the date, but I think it was roughly September of 1947, I enrolled in the Rutgers University Extension School at Fort Monmouth, and I got my masters in science degree there in June of 1951.

Mr. CARR. Now, while you were at the College of the City of New York, from 1938 through 1941, was it?

Mr. DUCORE. From 1935 to 1941.

Mr. CARR. Were you in the day school or the evening school?

Mr. DUCORE. I went to day school for the first two and a half years, I think, and then I transferred to evening school, and I finished up—and I actually took some courses during the day and some during the evening, depending upon how my working hours were, and I had a full-time job at the time.

Mr. CARR. While you were attending the college, were you familiar with or did you attend classes with one Julius Rosenberg?

Mr. DUCORE. I don't remember him from any of my classes, no.

Mr. CARR. Do you remember him as being in the school at the same time?

Mr. DUCORE. No.

Mr. CARR. You have no recollection of him whatsoever as a student?

Mr. DUCORE. No, none at all.

Mr. CARR. What is your first knowledge of him as a person?

Mr. DUCORE. When the press releases came out about being a spy.

Mr. CARR. During the time of the arrest and trials?

Mr. DUCORE. Yes, sir.

Mr. CARR. You had never seen him or contacted him at any time while you were working for the Signal Corps?

Mr. DUCORE. I had never contacted him at any time, and I was interrogated sometime ago by the FBI on the same thing, and at that time I said that I may have passed him in the halls at the laboratories, I wasn't sure, and he looked like someone, from the

pictures they showed me, whom I may have passed, but I never had anything to do with him.

Mr. CARR. So it is your statement that you have never had any personal contact whatsoever with him?

Mr. DUCORE. That is right.

Mr. CARR. Are you married?

Mr. DUCORE. Yes, sir.

Mr. CARR. How long have you been married?

Mr. DUCORE. Since October 8, 1944.

Mr. CARR. Have you been associated with Mr. Aaron Coleman while you were at the Fort Monmouth Post?

Mr. DUCORE. Yes, sir.

Mr. CARR. What was your connection with him? Is he your superior?

Mr. DUCORE. No. Let me see. From the time I started working until after he came back from the Marine Corps, I had no business or social association with him at all. I knew him as one of the engineers at the laboratories, but we didn't see each other outside at all.

Mr. CARR. You have had no social contact with him whatsoever?

Mr. DUCORE. Up to the time he came back from the Marine Corps, I knew he worked there—this was approximately 1946, I think. When he came back from the Marine Corps he was in the same section I was in for a while. We didn't work on the same jobs, but he was in the section, and so I knew him in the section.

The CHAIRMAN. On this UPW, how long did you and your wife belong to the UPW?

Mr. DUCORE. I belonged approximately, I think, during 1946 and 1947, roughly those years. I may have joined late in 1945, and I am not sure.

The CHAIRMAN. Did you finally drop out?

Mr. DUCORE. I finally just dropped out from sheer uninterest, and I stopped paying dues and told them I wasn't interested, and I hadn't attended very many meetings anyway.

The CHAIRMAN. When did your wife drop out?

Mr. DUCORE. She became pregnant during 1947, and also lost interest in the union, and just dropped out, and has never had any contacts since.

The CHAIRMAN. At the time you belonged, did you consider that to be strictly Communist-controlled?

Mr. DUCORE. No, sir, we had no indication at that time.

The CHAIRMAN. When did you first discover that the UPW was a Communist-dominated organization?

Mr. DUCORE. We never knew that the UPW was Communist-dominated, but it wasn't until this Louis Kaplan and Albert Sockel and Marcel Ullmann were suspended that we began to suspect, and nobody ever told us what the charges were, but all we could figure out was that they had been security risks.

The CHAIRMAN. Were they officers of the UPW?

Mr. DUCORE. I am not sure about Louis Kaplan, and I think that Ullmann and Sockel were at one time or another.

The CHAIRMAN. How well did you know Sockel?

Mr. DUCORE. Not well at all. I met him two or three meetings I attended, and he worked down the hall from me in the laboratory, but in a different section.

The CHAIRMAN. Two or three meetings. What type of meetings?

Mr. DUCORE. Regular union meetings.

The CHAIRMAN. Did you ever visit his home?

Mr. DUCORE. Never.

The CHAIRMAN. How about Kaplan, did you ever visit his home?

Mr. DUCORE. I was at Kaplan's home once or twice, and he was in my wife's driving pool, and he didn't have a car, and my wife took four people to work with her, and he was one of the four. I think we took him to a union meeting once, when we drove up, and we took him and his wife to a dance given by the Signal Corps Standards Agency at one time.

The CHAIRMAN. You said you were in his home once?

Mr. DUCORE. I said once or twice, and these times we picked him up either to take him to the union meeting or the dance.

The CHAIRMAN. Did you ever have dinner at his home?

Mr. DUCORE. No.

The CHAIRMAN. Did he ever come to your home?

Mr. DUCORE. I am not sure. I think he came once, when he delivered a typewriter and some union stationery to the house, and he either brought it or took it away.

The CHAIRMAN. Do you consider him a friend of yours?

Mr. DUCORE. No, sir.

The CHAIRMAN. Do you think he would go out of his way to try to hurt you?

Mr. DUCORE. I barely know him, and I don't see why he should.

The CHAIRMAN. You can see no reason why he should try to injure you?

Mr. DUCORE. No, sir.

The CHAIRMAN. Did you think he was a Communist?

Mr. DUCORE. At that time I didn't, no, sir, and I still have only the information that I got from the fact that he has been suspended and reported to be a Communist.

The CHAIRMAN. Yesterday he was asked a question whether or not you were a member of the Communist party, and he refused to answer on the ground that a truthful answer might tend to incriminate him, and we explained to him that if he had no knowledge of any membership on your part that he was not entitled to the privilege and he would be in contempt of the committee; and he could only refuse to answer that question, using the Fifth Amendment, if he felt that a truthful answer would incriminate him, if he had some knowledge of your Communist party membership, and he persisted in this refusal to answer. He very clearly understood that he was creating a strong impression that you were a member of the party.

I am curious to know whether he has got some reason to try to hurt you. Is he an enemy of yours or a friend of yours?

Mr. DUCORE. He has never been a friend of mine, and I knew him only from these union meetings, and I saw him possibly three or four times, and I can't think of any reason why he should try to hurt me.

The CHAIRMAN. How long did Kaplan share the so-called driving pool with your wife?

Mr. DUCORE. The pool started either late in 1944 or early in 1945, and he was in it, I think, until he left—I don't know if he was suspended or he resigned, but towards the end of that time I think he bought a car of his own, and he drove a few times by himself.

The CHAIRMAN. In 1949, did you say?

Mr. DUCORE. No. He left, I think it was in 1947, or 1946.

The CHAIRMAN. When did your wife quit her government employment?

Mr. DUCORE. In 1947, roughly August, I think.

The CHAIRMAN. She hasn't worked for the government since?

Mr. DUCORE. No, sir.

The CHAIRMAN. Did you or your wife ever attend any Communist party meetings?

Mr. DUCORE. No, sir.

The CHAIRMAN. Were you ever asked to attend Communist party meetings?

Mr. DUCORE. Never.

The CHAIRMAN. Were you ever solicited to join the Communist party or the Young Communist League?

Mr. DUCORE. No, sir.

The CHAIRMAN. How well do you know Mr. Coleman? I believe you have been asked that question before.

Mr. DUCORE. Yes, and I think I got up to the point where, after his return from service, we were in the same section.

The CHAIRMAN. Did you ever attend any meetings with Mr. Ullmann?

Mr. DUCORE. Are we talking about Coleman or Ullmann now?

The CHAIRMAN. Ullmann.

Mr. DUCORE. I saw Ullmann at the union meetings.

The CHAIRMAN. And no other meetings?

Mr. DUCORE. No, sir.

The CHAIRMAN. Did you ever suspect that anyone over at the Signal Corps was removing classified material?

Mr. DUCORE. No, sir, I never had any knowledge of that.

The CHAIRMAN. You never had any reason to believe that either Coleman or Ullmann or Kaplan were members of the Communist party?

Mr. DUCORE. No, sir.

The CHAIRMAN. Did you share in this driving pool, also?

Mr. DUCORE. No. This was a pool that went up to the Signal Corps Standards Agency in Red Bank, and later it moved to Eatontown, and I worked at Evans.

The CHAIRMAN. Do you have a camera?

Mr. DUCORE. I do, yes, sir.

The CHAIRMAN. What kind do you have?

Mr. DUCORE. A Kodak Brownie box camera.

The CHAIRMAN. What other kinds have you had over the last number of years?

Mr. DUCORE. Just this, or similar types, and I have a toy camera for one of my children which takes pictures, but that is about all.

The CHAIRMAN. Did you ever have a Minox?

Mr. DUCORE. No, sir.

The CHAIRMAN. Did you ever see a Minox around the Signal Corps Laboratory?

Mr. DUCORE. I don't know what kind of a camera it is, and—

The CHAIRMAN. It is a camera about that big [indicating], two inches long.

Mr. DUCORE. No.

The CHAIRMAN. With that knowledge would you say you ever saw one around the Signal Corps Laboratory like that?

Mr. DUCORE. I may have seen one over in the reproduction branch, and I am not sure, and it looked like a cigarette lighter or something like that.

The CHAIRMAN. Would you remember who asked you to join the UPW?

Mr. DUCORE. I joined through my wife. At the time, she was a member, and they were trying to expand.

The CHAIRMAN. Where was she working?

Mr. DUCORE. At the Signal Corps Standards Agency.

The CHAIRMAN. You said your acquaintanceship with Rosenberg was merely a casual acquaintance which you had with any of the other college students?

Mr. DUCORE. I had no acquaintance with Rosenberg.

The CHAIRMAN. I thought you went to school with him.

Mr. DUCORE. He went to City College, but I don't remember him from the school at all.

The CHAIRMAN. In other words, you had no acquaintance with him at all?

Mr. DUCORE. No, sir.

The CHAIRMAN. Nor with Mrs. Rosenberg?

Mr. DUCORE. No.

Mr. COHN. Could You go to the witness room for a few moments, please?

The CHAIRMAN. Mr. Coleman, will you stand up and be sworn?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLEMAN. I do.

TESTIMONY OF AARON H. COLEMAN (ACCOMPANIED BY HIS COUNSEL, RICHARD F. GREEN)

[Mr. Coleman was accompanied by his counsel, Richard F. Green, 7 West Grand Street, Elizabeth 2, New Jersey; Telephone 1518.]

Mr. COHN. Give us your full name.

Mr. COLEMAN. Aaron H. Coleman.

Mr. COHN. Did you until very recently work at the Fort Monmouth Evans Signal Corps Laboratory?

Mr. COLEMAN. Until February 1952, I was at Evans Signal Laboratory.

Mr. COHN. How long were you at Monmouth Signal Corps?

Mr. COLEMAN. A total period of fifteen years.

Mr. COHN. You were suspended by the secretary of the army on what date?

Mr. COLEMAN. I received a letter on the 28th of September.

Mr. COHN. On the 28th of September of this year, is that right?

Mr. COLEMAN. That is correct.

Mr. COHN. When you were with the Evans Signal Laboratory, what was your position?

Mr. COLEMAN. I was the chief of the Systems Section of the Radar Branch.

Mr. COHN. As such, did you have access to classified material?

Mr. COLEMAN. Yes, I did.

Mr. COHN. Did you have access to secret material?

Mr. COLEMAN. Yes, I did.

Mr. COHN. Did some of this material in general terms involve radar and anti-aircraft defense?

Mr. COLEMAN. Yes, it did.

Mr. COHN. And would you agree that it was extremely sensitive material and would be of substantial aid to the enemy if received by them?

Mr. COLEMAN. Yes.

Mr. COHN. Did you know Julius Rosenberg?

Mr. COLEMAN. I knew Julius Rosenberg at college in one or two of my classes.

Mr. COHN. Did you ever attend a meeting of the Young Communist League with Julius Rosenberg?

Mr. COLEMAN. I attended one meeting of the Young Communist League.

Mr. COHN. With Julius Rosenberg?

Mr. COLEMAN. With Julius Rosenberg.

Mr. COHN. Did you go to that meeting at the invitation of Julius Rosenberg?

Mr. COLEMAN. Yes, I did.

Mr. COHN. Would you tell us the circumstances of that?

Mr. COLEMAN. I believe it occurred in my senior year, which would encompass the time between 1937 and 1938. He told me at that time, for the first time, that he was a member of the Young Communist League, and he asked me to go to attend a meeting to see what it was like. I was not particularly interested at first. He appealed to me on the basis that I should not have a closed mind, and that I should see for myself, just to attend one meeting.

He did this a number of times, to the best of my knowledge, and finally I agreed to go to one meeting. I went to one meeting, which I think took place in the vicinity of the college, and I think it took place during the day while at school. I was there for about an hour or an hour and a half, that is to the best of my recollection, and I left. I don't remember what was discussed, and I don't recall seeing anyone there that I knew.

Mr. COHN. You mean the only people you can tell us were there were yourself and Julius Rosenberg?

Mr. COLEMAN. That is right.

Mr. COHN. You know of nobody else who was there?

Mr. COLEMAN. I didn't recognize anyone, to the best of my knowledge now.

Mr. COHN. Have you seen anybody who was there since that time?

Mr. COLEMAN. No, sir.

Mr. COHN. You have not?

Mr. COLEMAN. No, sir.

Mr. COHN. Let me ask you this: Did you see Julius Rosenberg at all after you left college?

Mr. COLEMAN. No, sir. I have never seen him or heard from him, or corresponded with him.

Mr. COHN. Did you see him after you attended that Young Communist League meeting with him?

Mr. COLEMAN. I believe I did in my class.

Mr. COHN. I see. Now, do you know Morton Sobell?

Mr. COLEMAN. I knew him in several of my classes at City College.

Mr. COHN. Did you ever see him after you left City College?

Mr. COLEMAN. I saw him a number of times. Once, I believe at General Electric by chance, when I met him——

Mr. COHN. Let the record indicate that Morton Sobell was convicted of conspiracy to commit espionage and sentenced to thirty years in prison.

Mr. COLEMAN. I visited General Electric with a Mr. Brenner, who is a Signal Corps engineer. We visited the General Electric Company to see a Mr. Newman, and while we were there, I found that Morton Sobell was employed there, and this was the first time I had seen him since school. We exchanged news about classmates, and Mr. Brenner became interested in some of his work, and that is about all I remember at this time.

The next time I heard of Morton Sobell was when I visited the Reeves Instrument Corporation, which had a contract with the government, and I was the project engineer. I usually visited the project engineer in a room which contained four or five individuals, and one of the individuals was Morton Sobell. There were three or four other people. Naturally, when entering the room, I would say hello to Sobell, and we exchanged good morning and greetings of that sort, and then I would get down to business with the project engineer.

Mr. COHN. Did you know when you were at City College, when you knew him at City College, that Sobell was a Communist?

Mr. COLEMAN. I did not.

Mr. COHN. Was he at this meeting of the Young Communist League which Rosenberg took you to?

Mr. COLEMAN. No, not to the best of my knowledge.

Mr. COHN. Did you know he was a close friend and associate of Rosenberg?

Mr. COLEMAN. No, I did not.

Mr. COHN. You sat right next to Rosenberg in some of your classes, did you not?

Mr. COLEMAN. In one laboratory class, I believe I did, in 1936, but I am not sure.

The CHAIRMAN. When did you say you first went to the Signal Corps?

Mr. COLEMAN. In March of 1939.

The CHAIRMAN. March of 1939?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You knew Rosenberg was working there in the early '40s, did you?

Mr. COLEMAN. I did not, no, sir.

The CHAIRMAN. Did you ever learn Rosenberg was working for the Signal Corps?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. Were you ever called upon by the FBI to give information with regard to Rosenberg?

Mr. COLEMAN. Yes, I was.

The CHAIRMAN. Did you give them all of the information?

Mr. COLEMAN. Yes, sir, I did.

The CHAIRMAN. When was that?

Mr. COLEMAN. I was called upon after his arrest, and I would like to give a little more information on this score. In 1949, I was a witness at a hearing for someone else.

Mr. COHN. What was his name?

Mr. COLEMAN. His name is Jack Okun, O-k-u-n. I was asked about this meeting of the Young Communist League, and I told them that I had attended one meeting, and I was not asked at that time about anybody else. And if I had been asked, I would have told them the name of Julius Rosenberg.

Mr. COHN. Didn't you think it would have been relevant?

Mr. COLEMAN. I was not given the opportunity at that hearing to volunteer information. I was asked questions, and I was supposed to answer them.

Mr. COHN. Go ahead.

The CHAIRMAN. Who was the fellow Okun?

Mr. COLEMAN. He is a close friend of mine, whom I have known since high school days.

Mr. COHN. On the subject of Mr. Okun, you and Mr. Okun lived together, did you not?

Mr. COLEMAN. Yes, sir.

Mr. COHN. When was that?

Mr. COLEMAN. We first lived together in 1942 when he was employed at Evans Signal Laboratory.

Mr. COHN. Were you living together in 1946?

Mr. COLEMAN. Yes, we were.

Mr. COHN. In the fall of 1946?

Mr. COLEMAN. Yes, we were.

Mr. COHN. In October of 1946?

Mr. COLEMAN. Yes.

Mr. COHN. Mr. Coleman, is it not a fact that in October of 1946, investigators of the Army Security Intelligence Division raided your living quarters and found forty-eight classified documents?

Mr. COLEMAN. No, sir, that is not the exact circumstances, and if you will permit me, I would like to describe it.

Mr. COHN. I would like to have your description, but first of all I would like to know, number one, was there a raid on your living quarters?

Mr. COLEMAN. No, sir, there was not a raid.

Mr. COHN. Was your place searched by the Army Security Intelligence Division?

Mr. COLEMAN. I made available to them everything that I had in my house.

Mr. COHN. Was your place searched by them? Did they come over to your house and ask whether you had taken classified documents from the laboratory to your home?

Mr. COLEMAN. They asked me, at the Security and Intelligence Section, and I signed a waiver permitting them to search, and I took them to my home and they searched everything I had, and every piece of paper.

Mr. COHN. Did they find some government documents in your home?

Mr. COLEMAN. They found some government documents, two of which were classified, at that time, and some of which were marked classified, but were not. Two were still classified at the time.

Mr. COHN. Do you know that this was a grave violation of security regulations, to say the least of it?

Mr. COLEMAN. I was punished for this violation, and the violation read as follows: Carelessness in the custodianship of the documents, and failure to declassify them. I was punished, and I was reprimanded, and my punishment consisted of two weeks' suspension. I have never had a security violation since then.

Mr. COHN. Now, you say the thing read: Carelessness in the custodianship of documents. That is one explanation. You take documents from what you have agreed with us is an extremely sensitive place, and you take them to your home. Now, that might be carelessness and it might be something else, isn't that a fact?

Mr. COLEMAN. Well, the documents—I was authorized to remove the documents to my home, and every document was removed with authorization, and every document was removed with authorization.

Mr. COHN. Mr. Secretary, we want to call your attention to the fact that at this time we were down in Monmouth, and the army made available, as it has and as have all government agencies, the personnel files not the loyalty and security files, but the personnel files of various people under investigation. We examined the file of Mr. Coleman, and took copious notes from it, and as a matter of fact some documents were of very great interest and we made verbatim copies of them.

Instead of taking the files with us and bringing them back here, they asked us over at Monmouth if we would let them make photostats, and they would have their records complete. We agreed to that, and when the photostats arrived we found that the files had been stripped of some of the most relevant documents. It so happens that some of the documents of which we had made verbatim copies were missing.

We wanted to call that to your attention. In the case of the Coleman file, there had been removed from it all papers indicating the search of his home by the Security and Intelligence Division, and the fact that he had been suspended, and the fact that these classified documents had been removed by him from the Evans Signal Laboratory and found in his home.

I would say that the files were handled by G-2 in the Pentagon, and we understand they left Fort Monmouth intact.

On how many occasions did you remove classified documents from the Evans Signal Corps Laboratory?

Mr. COLEMAN. I don't remember.

Mr. COHN. Would you say there were numerous occasions?

Mr. COLEMAN. I removed documents with authorization on numerous times.

Mr. COHN. How many times without authorization?

Mr. COLEMAN. Never.

Mr. COHN. Is it your contention that you were specifically authorized to remove these documents that you had in your home?

Mr. COLEMAN. Yes, sir.

Mr. COHN. Apparently the army didn't agree with that contention, did it?

Mr. COLEMAN. No, sir, I have the reprimand, a copy of it, signed by the commanding officer, which states, "You are hereby reprimanded for carelessness in custodianship, and for failure to declassify."

The CHAIRMAN. The reprimand went further than that, did it not? They told you it was a reprehensible act on your part? The reprimand told you it was a reprehensible act and a violation of the Espionage Act?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did it use the word "reprehensible"?

Mr. COLEMAN. I don't remember if it used the word "reprehensible," but it did not state that it was a violation of the Espionage Act, and it stated that it was a security violation.

The CHAIRMAN. Do you realize it was a violation of the Espionage Act to take classified material away from the laboratory and have it in your home?

Mr. COLEMAN. I was authorized to remove it to my home, so I did not realize it at the time. I assumed that if I had been authorized, it was all right.

The CHAIRMAN. Who authorized you to take the material to your home?

Mr. COHN. Give us that name, will you, please?

Mr. COLEMAN. Well, I can't remember. It probably would have been the branch chief.

The CHAIRMAN. Not "probably." You gave us the positive statement that someone authorized you to take classified material and—just a moment—to your home. If that is the fact, you must know who gave you the authorization, and it cannot be some imaginary person.

Mr. COLEMAN. No, it could be more than one person, and I would like to tell you the people who might have been—

The CHAIRMAN. Not who it might have been and not who it might be, but who it was. If you do not know who it was, then just tell us that. It is a very, very important matter, you see, taking secret material from the Signal Corps and having it in your home, and you give us the positive statement that someone authorized you. Now, it is not an imaginary person who authorized you. It had to be a man with a face and a name. If you do not know who it was, tell us; and if you do know, tell us.

Mr. COLEMAN. Well, I was authorized to remove the documents, but I am not sure as of two or three people who it could be, and I could think pretty well it could be any one of the two or three people, and if you want, I will mention their names. But I am not positive.

The CHAIRMAN. You do not know now who gave you the authority?

Mr. COLEMAN. I am not positive.

The CHAIRMAN. When you were brought up on charges in the Signal Corps, did you at that time give them as a defense the fact that you were authorized to remove the material?

Mr. COLEMAN. I was not brought up on charges in this matter I assume you are talking of, in 1946, and I was not brought up on charges at that time.

The CHAIRMAN. After the security branch raided your apartment or came to your apartment and removed the classified material, were letters of charges served on you?

Mr. COLEMAN. No, sir, they were not.

The CHAIRMAN. Were you asked to give an answer or an excuse or an explanation for having had this classified material?

Mr. COLEMAN. To the best of my knowledge, I was not.

The CHAIRMAN. You were not?

Mr. COLEMAN. No.

The CHAIRMAN. You never were asked to explain it?

Mr. COLEMAN. To the best of my knowledge, I was not.

The CHAIRMAN. In other words, they punished you without giving you a chance to explain why you had the material in your apartment?

Mr. COLEMAN. To the best of my knowledge, that is correct.

The CHAIRMAN. Just to refresh your recollection, you wrote a very lengthy explanation, did you not, and submitted it to the Signal Corps?

Mr. COLEMAN. After I received the reprimand, I wrote for the record a first endorsement, explaining that my motives were to catch up with the work I had missed while in the Marine Corps.

The CHAIRMAN. You were given a chance to explain, and you wrote a lengthy explanation, did you not?

Mr. COLEMAN. After I was reprimanded.

The CHAIRMAN. I do not care when. Did you write an explanation of why you had those secret documents in your apartment?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Did you at that time say that you had authority from someone?

Mr. COLEMAN. I am sorry, sir, I am not sure.

The CHAIRMAN. You are not sure?

Mr. COLEMAN. I am not sure. If I could refresh my memory by looking at the document, I could tell.

The CHAIRMAN. That is rather important. That is your reason for having the Secret documents in your apartment, if you took them there because someone gave you the authority to do it, and would you not tell the Signal Corps that?

Mr. COLEMAN. I was not charged with removing them without authorization, and therefore I did not attempt to answer that. I did attempt to answer the things with which I was charged.

The CHAIRMAN. Do you know that some of these secret documents are missing and have shown up in East Berlin in the Russian laboratories, and have been used by them? Are you aware of that?

Mr. COLEMAN. No, sir, and I would like to state that of all of those documents, some of which I had received in the Marine Corps and some of which were personal notes, and some of which I had removed from Evans with authorization, only two were classified at that time, and that classification was confidential. Therefore, I cannot see of what value they would have been at that time to anyone, except for the two confidential documents, and the others were unclassified and were available to anyone.

Mr. COHN. When were they unclassified, before or after you took them to your home?

Mr. COLEMAN. I do not know.

The CHAIRMAN. Did you declassify them yourself?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you have authority to declassify?

Mr. COLEMAN. No, sir.

The CHAIRMAN. You did not?

Mr. COLEMAN. No, sir.

Mr. COHN. Were they marked secret?

Mr. COLEMAN. Some were marked secret.

Mr. COHN. Were they declassified at the time you took them to your home, or declassified after you had them in your home?

Mr. COLEMAN. I do not know. I would like to add one thing. I believe, and I am not certain, that an investigation was made as to the security status of those documents, and I believe it was determined in that way, but I do not know.

The CHAIRMAN. Do you know some were classified secret?

Mr. COLEMAN. Some were marked secret, and some were marked confidential, and some were marked restricted, and some were not marked at all.

The CHAIRMAN. Do you know the definition of "secret"?

Mr. COLEMAN. I believe it is something which would harm the national defense if it were revealed.

The CHAIRMAN. And would be of great aid to the enemy?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Do you think it was proper, now, for you to take the secret material and store it in your apartment?

Mr. COLEMAN. I did not think so at that time, and I felt that I had committed a security violation, and I was punished for it.

The CHAIRMAN. Why did you do it if you thought it was improper?

Mr. COLEMAN. I had just returned from the Marine Corps, and I had been away for two years, and I had been assigned an important project. I found that I was far behind in the state of the art. There were many things about which I did not know. I felt that in order to do a conscientious job, I had to catch up with what had happened in those two years. So I did two things: I went to school towards trying to get my masters degree and I also worked at home trying to catch up. That was the only way I could see how to fulfill my responsibilities.

Later, one year later, unfortunately, a book came out that described all of this information.

The CHAIRMAN. When did you leave the Marine Corps?

Mr. COLEMAN. I left the Marine Corps in January of 1946.

The CHAIRMAN. I understood you to give as an excuse the fact that you just left the Marine Corps, and your apartment was raided in the late fall of 1946, was it not?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. When did you start to work for the Signal Corps?

Mr. COLEMAN. You mean after I came back from the Marine Corps?

The CHAIRMAN. Yes.

Mr. COLEMAN. In January of 1946.

The CHAIRMAN. Over what period of time did you accumulate the forty-eight documents that the security branch picked up?

Mr. COLEMAN. First I would like to state there were forty-three documents; and secondly, I don't remember exactly when it was.

The CHAIRMAN. Had you taken other classified documents from the Signal Corps?

Mr. COLEMAN. I don't know. I am not certain whether I did or not.

The CHAIRMAN. You do not know whether you took other documents or not?

Mr. COLEMAN. If I did, I returned them to the laboratories.

The CHAIRMAN. Well, now, you should remember whether or not you took others from the laboratory and returned them, or not. This is a rather important matter to you, I assume.

Mr. COLEMAN. It is very important to me.

The CHAIRMAN. You were suspended for it; and if you took other documents out and read them and took them back, if that was your practice, you should remember that.

Mr. COLEMAN. Well, I can't, since this is a detailed piece of information, and it requires knowing the title, and it was seven years ago.

The CHAIRMAN. I am not asking you for the title. I am asking you if you recall now if there were other documents you took from the Signal Corps laboratory and returned them to the laboratory?

Mr. COLEMAN. Yes, I believe I probably did, but I am not certain.

The CHAIRMAN. You do not remember whether you did or not?

Mr. COLEMAN. That is right.

The CHAIRMAN. Did you give any of these documents to anyone else?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. Who all was living with you at that time?

Mr. COLEMAN. Mr. Jack Okun.

The CHAIRMAN. Jack Okun?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Why was he suspended?

Mr. COLEMAN. I believe he was suspended—one of the charges was that he was a member of the United Public Workers Union.

The CHAIRMAN. What were the other charges? Was he not charged with Communist activities, your roommate?

Mr. COLEMAN. I believe he was charged with attending a meeting of some sort of club.

The CHAIRMAN. Don't be coy with me. You know what your roommate was suspended for.

Mr. COLEMAN. I am trying to remember.

The CHAIRMAN. You testified at his hearing, and you know whether he was accused of Communist activities, and you tell us that.

Mr. COLEMAN. I am trying to remember the exact charges, sir, and if you give me a little time, I think I can repeat most of them as they read in the charges.

I would like to give you the exact facts to the best of my ability.

The CHAIRMAN. Do you know whether he was charged with Communist activities, this roommate of yours?

Mr. COLEMAN. I don't recall the charge reading, "You are charged with Communist activities." That is the part that I don't remember. I would like to tell you the exact charges.

The CHAIRMAN. Do you know whether or not that was the substance of the charge, that he had been engaged in Communist activities and attending Communist meetings?

Mr. COLEMAN. I think if you would like to know the substance of it, I believe the substance of it was association with individuals reported to have been Communists, and I feel that would be a fair summary of the charges.

The CHAIRMAN. And association with espionage agents, is that not correct?

Mr. COLEMAN. In the charges, it was not so mentioned, as far as I know.

The CHAIRMAN. At the time you testified for him, did you not know that he was accused of association with espionage agents?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. Have you ever been told that by him?

Mr. COLEMAN. No, sir, I have not.

The CHAIRMAN. Now, you roomed with him for how long?

Mr. COLEMAN. The rooming, the total period, sir, from the beginning?

The CHAIRMAN. Yes.

Mr. COLEMAN. We roomed in 1942 a year and a half, a total of two and a half years in which there was a break for a period in the Marine Corps.

The CHAIRMAN. He was your roommate during 1946?

Mr. COLEMAN. That is right.

The CHAIRMAN. During the time you were removing the secret documents from the Signal Corps and bringing them home, he was your roommate?

Mr. COLEMAN. That is right.

The CHAIRMAN. Who else roomed with you during that period of time? Was it a one-room apartment?

Mr. COLEMAN. This was a two-room apartment.

The CHAIRMAN. Just the two of you?

Mr. COLEMAN. Just the two of us living there.

The CHAIRMAN. How long did you continue to live with him after the raid upon your apartment? Strike the word "raid"—after the army security picked up the classified material.

Mr. COLEMAN. I believe our rooming ended at the end of the year when he was married, at the end of 1946.

The CHAIRMAN. Did you have reason to believe that he was a member of the Communist party?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. Who else had access to your apartment?

Mr. COLEMAN. I believe the only person who visited us most frequently at that time was Mr. Peter Rosmovsky, who lived in the same building.

The CHAIRMAN. Rosmovsky?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. How do you spell that?

Mr. COLEMAN. R-o-s-m-o-v-s-k-y.

The CHAIRMAN. Does he work at the Signal Corps?

Mr. COLEMAN. Yes, sir, he does.

The CHAIRMAN. How long has he been working there?

Mr. COLEMAN. I believe he has been working there for about sixteen or seventeen years.

The CHAIRMAN. Do you know of anyone else who removed classified material in the same manner that you did?

Mr. COLEMAN. I do not know of any specific individual, but I believe that everyone was authorized to remove documents with a pass, which was known as a whiz pass, and I believe it was a common practice.

Mr. COHN. Did you have a pass to remove these documents?

Mr. COLEMAN. Yes, sir, I did.

Mr. COHN. Did you show that pass to the security and intelligence investigators when they came around? I have the statement you made back at that time, and there isn't a word in there about your having been authorized to take these documents. What you said, the excuse that you gave, was that your motive was that you wanted to catch up on some work at home, and therefore you thought it would be all right to take these documents out; and there isn't a word about having obtained a pass or permission for it. I would like to get to the bottom of that.

Mr. COLEMAN. I would like to.

Mr. COHN. I want to know who gave you that pass, and whether or not you had a pass——

Mr. COLEMAN. I had a pass.

Mr. COHN [continuing]. To take each and every one of these secret and classified documents out of the Evans Signal Laboratory to your home and to retain them in your home. I want to know who gave you the pass.

Mr. COLEMAN. The pass was signed by the adjutant of the laboratories at that time.

Mr. COHN. Who is the man we can call in here?

Mr. COLEMAN. I think you should call in the branch chief, Mr. Yamins.

The CHAIRMAN. Who issued the pass? Who signed the pass? That is the man we want.

Mr. COLEMAN. The adjutant.

The CHAIRMAN. What is his name?

Mr. COLEMAN. I am sorry, I do not remember.

The CHAIRMAN. But it was the adjutant in the year 1946?

Mr. Coleman. Yes, sir.

The CHAIRMAN. And this pass gave you permission to remove secret material from the laboratory?

Mr. COLEMAN. Yes, sir.

Mr. COHN. If you had all of these things on the basis of a written pass and written record, why did G-2 go to you and ask you for a waiver to search your home and see if you have any classified documents there?

Mr. COLEMAN. I don't know.

Mr. COHN. The thing doesn't make sense, does it?

Mr. COLEMAN. I think it does.

The CHAIRMAN. Let us get the record clear. Remember, you are under oath. It is your sworn testimony that you had a pass which granted you permission to take secret material from the laboratory, is that correct?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And that gave you the right to take whatever secret material you cared to from the laboratory?

Mr. COLEMAN. No, sir, I believe it was a pass that was made out for each individual document, and it was called a whiz pass.

The CHAIRMAN. Do you have any of those passes?

Mr. COLEMAN. No, sir, I do not.

The CHAIRMAN. But you claim each time you got the forty-three documents, you went to the adjutant and he signed a pass giving you permission to remove them?

Mr. COLEMAN. No, sir.

The CHAIRMAN. How did it happen?

Mr. COLEMAN. I would like to explain the circumstances, if you will give me the time.

The CHAIRMAN. We will give you all of the time you want.

Mr. COLEMAN. There was a type of machine that is similarly used for sales orders, and things like that, which had a large number of carbon copies for each document, and it was numbered. This was ordinarily used for removing property, but it was also used at that time for removing documents. On that pass, your name was indicated, and the dates, and it indicated where you were taking the property or the documents, and then there was a list made of all of the documents, or the property. Then it was signed by myself, by the branch chief, or the assistant branch chief if he was present, whichever one was present at the time.

That pass was then removed from this machine, and one copy was sent, I believe, to the signal property officer, and the other copy was given to the individual to give to the guard. As I recall it, that was done. Then as you left the area, you gave the pass to the guard, and he would look at your documents and check it with the pass, and he would note whatever was on the pass to make sure that the signatures were correct, and that is how you would take the documents out.

The CHAIRMAN. Now my question is: Each time you took those documents, the forty-three of them, on each occasion someone other than yourself signed the pass?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And on each occasion you gave the guard a copy of the pass?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And you say that it is common practice to give passes to take secret material to the homes of the people working in the laboratory?

Mr. COLEMAN. Yes, sir, I do.

The CHAIRMAN. That is common practice?

Mr. COLEMAN. It was common practice, and after I received my security violation, the regulations were changed.

If you will permit me, would you permit me, it is my feeling that I suffered a two-weeks suspension for a practice that was done by many other people; during the war particularly, many of them would take their work home. It was a common practice.

The CHAIRMAN. Now, when that pass was signed, you would sign it yourself, is that right?

Mr. COLEMAN. That is right, yes, sir.

The CHAIRMAN. And the adjutant, the base adjutant, would sign it?

Mr. COLEMAN. No, sir, the branch chief or the assistant branch chief.

The CHAIRMAN. And it was known by the branch chief and the assistant branch chief that it was common practice to take secret material and store it in the apartments of various people?

Mr. COLEMAN. I don't know about storing. All I know about it was that the pass stated these documents were being taken home, and it so stated on the pass, and therefore he knew exactly that I was taking the documents home for work at home.

The CHAIRMAN. Some of those documents involved the radar screen?

Mr. COLEMAN. No, sir, to the best of my knowledge they were not.

The CHAIRMAN. Did any of them involve radar?

Mr. COLEMAN. Yes, they did.

The CHAIRMAN. They involved radar?

Mr. COLEMAN. They did involve radar.

The CHAIRMAN. They involved the location of radar installations?

Mr. COLEMAN. No, sir, I don't think so, and I am not sure.

The CHAIRMAN. In what way did they concern radar?

Mr. COLEMAN. They had the principles of radar, the fundamental principles of radar, for one example; and they had the sighting of radar, how you go about sighting radar, the best way of doing it. And those are two of them that I remember.

The CHAIRMAN. The construction of radar equipment?

Mr. COLEMAN. No, sir, not the construction. The fundamental principles, and applicable to any radar.

The CHAIRMAN. Do you think that that material would be of benefit to the enemy?

Mr. COLEMAN. At that time, in 1946, I do not think so, because it was being published in a large number of books at that very time.

The CHAIRMAN. Then it is your position that the material should not have been classified at all?

Mr. COLEMAN. The great majority of them, except for the two, which I don't recall which two they were, should not have been classified, and I understand they were not classified at that time.

The CHAIRMAN. Let us talk about the ones that were classified. Do you feel that the information was of such general nature that they should not have been classified as secret?

Mr. COLEMAN. I do not remember exactly which two documents they were, but they were not classified at that time secret; they were classified confidential.

The CHAIRMAN. Well, now, your reprimand said they were classified as secret.

Mr. COLEMAN. Mine says they were classified confidential.

The CHAIRMAN. Let us take the reprimand you had against the one we got from the army.

Mr. COLEMAN. I have one dated the 21st of October.

The CHAIRMAN. You read yours and I will read mine.

I hereby reprimand you for carelessness in the custodianship of Classified documents, in that you had been keeping in your apartment in an insecure place, and in violation of Army Regulation 380-5, a number of documents marked Secret and Confidential, two of which were in fact currently classified as Confidential; and also that you did not comply with current regulations prescribing the downgrading procedure for lowering the classification of documents.

Did I correctly read it?

Mr. COLEMAN. Yes, sir, you did.

The CHAIRMAN. Now, did you have the authority to downgrade classified documents?

Mr. COLEMAN. No, sir, I did not have the authority, but I could have taken action to have them downgraded by somebody else.

The CHAIRMAN. Well, now, apparently some of them were downgraded after you took them to your apartment, and I note they were marked secret when you took them, and they say at the present time they are classified confidential. Do you know who took the action to have those downgraded after you removed them?

Mr. COLEMAN. To the best of my knowledge—permit me just to make sure exactly what your question is. When you say “downgraded,” you mean the physical change on the paper from secret to some other classification?

The CHAIRMAN. Well, let us go back a step. They were stamped secret when you took them?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. They normally would have been classified secret or they would not have been stamped secret. You do not stamp a confidential document secret, do you?

Mr. COLEMAN. That is true, but the classification pertains to the date at which the material was developed.

The CHAIRMAN. So at the time you took them, they were classified as secret, is that correct?

Mr. COLEMAN. I don't think so, and I think that they were classified much lower than secret.

The CHAIRMAN. Do you know?

Mr. COLEMAN. I do not know.

The CHAIRMAN. But you think they were classified lower?

Mr. COLEMAN. Yes, I do, and the reason I believe so was because much of this information was appearing in current electronic journals.

The CHAIRMAN. When you were associated or when you knew Julius Rosenberg, you knew he was a Communist?

Mr. COLEMAN. I learned he was a Communist under the circumstances I described previously, in that class in my senior year, and he told me.

The CHAIRMAN. And he repeatedly solicited you to join the Communist party, did he not?

Mr. COLEMAN. He tried a number of times to get me to join the Young Communist League.

The CHAIRMAN. That is the Communist party for those who are not of an age to join the party itself, is that right?

Mr. COLEMAN. I think so, yes, sir.

The CHAIRMAN. And the aims of the Young Communist League are the same as the Communist party, are they not?

Mr. COLEMAN. I believe they are, yes, sir.

The CHAIRMAN. So there is no distinction between the two, except the Young Communist League was the harbor for the younger members of the Communist party.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And he urged you to join the Young Communist League?

Mr. COLEMAN. He tried to get me to join, yes, sir.

The CHAIRMAN. Did you ever tell any intelligence agency that Julius Rosenberg was a Communist, and had solicited you to join the party?

Mr. COLEMAN. I told the FBI.

The CHAIRMAN. After they called upon you?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Not until then?

Mr. COLEMAN. That is right, sir.

The CHAIRMAN. How soon after he was arrested did they call upon you?

Mr. COLEMAN. I am sorry, I don't remember exactly when, and I think it was a few months, but I am not sure.

The CHAIRMAN. They told you then they knew you had attended Communist meetings with him?

Mr. COLEMAN. One meeting they told me they knew I had attended.

The CHAIRMAN. And that is the only one that you have admitted having attended?

Mr. COLEMAN. That is the only one I have ever attended.

The CHAIRMAN. They told you that they had information and testimony and gave you the date of the meeting you attended, is that right? Is this correct: that when the FBI first asked you whether you had attended meetings with Rosenberg, Communist meetings, you said you couldn't remember any, and it was only after they gave you the time and place and the date that then your memory was refreshed and you said that you had recalled that meeting?

Mr. COLEMAN. I don't remember the exact circumstances, and I think the circumstances are something like, as I remember one part of it, they asked me to sign a penciled statement about Rosenberg, in which I stated that I had known at that time that he was a Communist, and I did so, and I signed it, because he told me so.

The CHAIRMAN. Let us refresh your recollection. The report we have is that when the FBI man called upon you, you denied that you had ever attended a meeting with Rosenberg.

Mr. COLEMAN. No, sir.

The CHAIRMAN. Just a moment. You said you did not recall ever having been at such a meeting, and it was only after they told you

that they knew one of the meetings you had attended that then your memory became refreshed and you said, "Yes, I attended that meeting." Is that not correct?

Mr. COLEMAN. I am sorry, sir, I don't remember the exact circumstances. I would like to make one statement, if you will permit me. The year before I had testified at this hearing, it is true, and I stated I had attended the one meeting of the Young Communist League, and after that time I had realized that the Communists were dominated by Moscow, and that is the method by which I learned, that was my method of finding out.

The CHAIRMAN. How often did you go to any meetings of any kind with Rosenberg?

Mr. COLEMAN. It was the only meeting I have ever attended anywhere with Rosenberg.

The CHAIRMAN. How about meetings that were not Communist meetings?

Mr. COLEMAN. No other meetings to the best of my knowledge.

Mr. COHN. You said the FBI did not come to you until several months after Rosenberg's arrest. He was arrested on charges of espionage, involving activity for the Communists, and now here you are in a position where he had admitted to you that he was a Communist, which of course would have been extremely valuable to the FBI and to the government. Why did you not contact the FBI and give them this information?

Mr. COLEMAN. I did not know that he was working for the government, and I had not heard it.

Mr. COHN. I am talking about the time following his arrest, when it was all over the front pages that Julius Rosenberg had been arrested on charges of espionage and Communist espionage. Why did you not then contact the FBI and give them this important information that you had concerning Rosenberg?

Mr. COLEMAN. Well, I thought the information that I had wasn't particularly important, because all I knew about him was that he was a Communist, and had tried to get me to join, and since they already knew that, I didn't think that I could add anything to it.

Mr. COHN. Did you think it was a pretty important element of proof at the forthcoming trial?

Mr. COLEMAN. Well, I assumed, and I assumed rightly, that they would very quickly question everybody in the same class, and that they would obtain that information.

Mr. COHN. The fact is, you waited for them to come to you, and you did not go to them and give the information you had about Rosenberg?

Mr. COLEMAN. That is correct.

The CHAIRMAN. Mr. Coleman, at that time what were you doing, what was your job?

Mr. COHN. That was 1951.

Mr. COLEMAN. It was the same as I mentioned before, the chief of the Systems Section.

The CHAIRMAN. Chief of what?

Mr. COLEMAN. Systems Section, Radar Branch.

The CHAIRMAN. A very important job, is it not?

Mr. COLEMAN. Well, relatively speaking, yes, compared to a large number of employees, yes.

The CHAIRMAN. You read the papers and you knew Rosenberg was accused of espionage.

Mr. COLEMAN. Yes, I did.

The CHAIRMAN. That was headlined all over the country.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And you say that you thought that somehow the FBI might learn that you knew something about Rosenberg and would come to you, and for that reason you did not pick up the phone and call anyone in Justice Department and say, "Here, I can give you some help," you who are head of the section over in the Signal Corps.

Mr. COLEMAN. Well, sir, there were two reasons why I may not have called them. One, I believe the information I had was nothing that they did not already know, and the newspaper articles printed it in great detail, everything about him.

The CHAIRMAN. You knew that he denied being a Communist at the time, and you knew he denied being an espionage agent, and you knew that the Justice Department had to prove that, did you not?

Mr. COLEMAN. Yes, I knew that they had to prove that, but I assumed—

The CHAIRMAN. Why did you not pick up the phone and say, "I know this man, and I know he is a Communist"?

Mr. COLEMAN. Frankly, I don't think the thought occurred to me at the time.

Mr. COHN. Were you ever in private business with a man named Harold Ducore?

Mr. COLEMAN. I would like to explain the circumstances, and I was not actually in business, but we did form a corporation which was never activated.

Mr. COHN. What was the name of the corporation?

Mr. COLEMAN. Ducore Engineering Laboratory.

Mr. COHN. When was it formed?

Mr. COLEMAN. I think it was formed in 1947 or 1948.

Mr. COHN. And did this company formed by you and Mr. Ducore, this company organized by you and Mr. Ducore, when it was planning out what it might do, did it solicit business from a company owned by Julius Rosenberg?

Mr. COLEMAN. No, sir, not that I know.

Mr. COHN. Is this the first you heard about that?

Mr. COLEMAN. This is the first I heard about that.

Mr. COHN. Who was connected with this company, in addition to Mr. Ducore and yourself?

Mr. COLEMAN. Mr. Corwin.

Mr. COHN. Who?

Mr. COLEMAN. Mr. Jerome Corwin.

Mr. COHN. He is still working out at Monmouth?

Mr. COLEMAN. Yes, sir.

Mr. COHN. What position does he hold out at Monmouth?

Mr. COLEMAN. I believe he is the chief of the Mechanical Engineering Section at Evans.

Mr. COHN. Can you tell us whether or not you or Mr. Ducore or Mr. Corwin ever were in touch with Julius Rosenberg, Bernard Greenglass, or David Greenglass, with reference to soliciting busi-

ness from the G & R Company, G standing for Greenglass and R for Rosenberg, which was Julius Rosenberg's business at that time?

Mr. COLEMAN. As far as I know, to my knowledge we were never in contact with this company as you mentioned, and I never even heard of this company until you just mentioned it.

Mr. COHN. Do you know a man by the name of Abraham Brothman?

Mr. COLEMAN. No, sir, I do not. I read his name in the papers.

Mr. COHN. You had never met him?

Mr. COLEMAN. No, sir.

Mr. COHN. Now, with what companies did this corporation formed by yourself and Mr. Ducore and Mr. Corwin, attempt to do business?

Mr. COLEMAN. We did not attempt to do business with any company that I can remember, except one, the American Association of Railroads.

Mr. COHN. That is the only one?

Mr. COLEMAN. That is the only other correspondence—we wrote a large number of letters requesting catalogs, and a great deal of that writing was done by the lawyer who had arranged for the corporation.

Mr. COHN. What was his name?

Mr. COLEMAN. His name, I think, was Heyman, and I am not sure of his first name.

Mr. COHN. When was this, exactly? Can you fix the time?

Mr. COLEMAN. I think it was in the early part of 1947, and that is the best I could do with the time.

Mr. COHN. Can you tell us whether or not you or Mr. Ducore or Mr. Corwin went out to any of your friends in the business which you intended to enter, and asked them whether they could help you?

Mr. COLEMAN. No, sir.

Mr. COHN. What did you do, just organized the thing?

Mr. COLEMAN. I would like to describe it. We organized this corporation, and we paid a \$25 incorporation fee, and we printed up some stationery, and we wrote one letter, that I mentioned, and we wrote for catalogs. And then we decided we didn't want to go through with it. We did not attempt to get business from anyone.

Mr. COHN. You did not attempt to?

Mr. COLEMAN. Yes, sir.

Mr. COHN. You don't know whether Mr. Corwin did or Mr. Ducore?

Mr. COLEMAN. I did not attempt to get business from anyone.

Mr. COHN. I want to ask you this: In the letter of suspension sent to you, we have covered some of the matters with which you were charged, is that right?

Mr. COLEMAN. That is right, you have.

Mr. COHN. Now, are there any which we haven't covered?

Mr. COLEMAN. Yes. One of the matters is association with two individuals by the name of Fred Kitty, and Joe Perkoff, who have been reported to have been Communist party sympathizers or party members.

Mr. COHN. Now, how about that?

Mr. COLEMAN. As far as Mr. Perkoff is concerned, he was just a person who was assigned or transferred to my section about three or four months, something like that, before I went into the Marine Corps, and he was just someone I knew at the section, and I even didn't—

Mr. COHN. Did you have anything to do with the transfer to your section?

Mr. COLEMAN. No, sir.

Mr. COHN. Were you chief of the section?

Mr. COLEMAN. I was chief of the section.

Mr. COHN. Did you approve his transfer?

Mr. COLEMAN. I don't think I actually did. If you will permit me to describe the circumstances, it was somewhat unusual. I had a section concerned with a certain type of radar equipment, and there was another section concerned with different types of radar equipment, and the two sections were merged, and I and another individual by the name of Albert S. White were made co-chiefs, and the officer in charge was the primary person controlling the entire works.

Now, when that merger took place, Mr. Perkoff was one of the individuals who came or who moved into this section. So it was not with my approval or prior knowledge.

Mr. COHN. Did you see him after you returned?

Mr. COLEMAN. No, sir, I did not.

Mr. COHN. How about Mr. Kitty?

Mr. COLEMAN. Mr. Kitty was a mechanical engineer who was assigned to my section, I believe in the latter part of 1942. He worked on parts lists and he was very good on doing parts lists, and so I put him in charge of a little unit right in parts list. For a year I had no contact with him outside of business. Then after that time, for about six months before I went into the Marine Corps, I had occasional contact with him socially.

Mr. COHN. You say occasional contact socially. Was he not in your home on several occasions?

Mr. COLEMAN. He may have been, about once or twice, not frequently.

Mr. COHN. Did you know he was a Communist?

Mr. COLEMAN. No, sir, I did not.

Mr. COHN. Did you ever discuss communism with him?

Mr. COLEMAN. No, sir, I don't think so. I am not sure.

Mr. COHN. Did you ever discuss world affairs with him?

Mr. COLEMAN. I don't recall discussing it, and he seemed to be interested, frankly, primarily in women at the time, and that was the general subject of the discussion most of the time.

Mr. COHN. What were the others? Did you see Mr. Kitty after 1946?

Mr. COLEMAN. After 1946 when I came back, I found he was employed by Bendix as a project engineer. He would come to visit Evans Signal Laboratory on projects not involving me, but he would be there, and I would see him in the cafeteria, and we would say hello and interchange greetings.

Mr. COHN. Did Mr. Kitty visit your apartment any time after 1946?

Mr. COLEMAN. He visited my home once on one of these trips.

Mr. COHN. About when was that?

Mr. COLEMAN. I think it was about 1948, sometime around there.

Mr. COHN. Did he visit your home at all in 1946?

Mr. COLEMAN. I do not recall him visiting my home in 1946.

Mr. COHN. You are not sure one way or the other?

Mr. COLEMAN. I am not sure.

Mr. COHN. Was Mr. Ducore a visitor at your home in 1946?

Mr. COLEMAN. No, sir, I did not know Ducore at that time socially, and I may have known him as a person in the laboratories, but not socially.

Mr. COHN. What were the other charges?

Mr. COLEMAN. Well, let us see. We covered Rosenberg, and we covered Sobell, and we covered Kitty and Perkoff. And the other charge was that I admitted attending several meetings of the Young Communist League, and expressing approval of their theories. Would you like me to discuss that?

Mr. COHN. Surely.

Mr. COLEMAN. I attended one meeting of the Young Communist League, and I didn't do it because I wanted to. I was appealed to on the basis, "Don't have a closed mind; come and see for yourself." And I did that, and I got the impression—

Mr. COHN. Who made this appeal?

Mr. COLEMAN. Rosenberg. I got this impression from this meeting, that instead of having a discussion, these people were given the word, and so I asked Rosenberg about it, and "What gives here?" and "This isn't a democratic organization," this is a general tenor of the discussion, and he didn't explain it very satisfactorily to me, and I was convinced then and I can at least document that in some of the letters that people have saved, that the Communist party was dominated by Moscow.

Mr. COHN. Well, now, you seem to be saying here your only objection to communism and the Communist party, at least then, was that, number one, you didn't like the methods; and number two, they were too dictatorial and the word was given; and number three it was dominated by Moscow.

Mr. COLEMAN. Well, an American party dominated by a foreign power, I considered equivalent to a traitor.

Mr. COHN. How about the aims of the party, the abolition of our form of government and the establishment of socialism?

Mr. COLEMAN. That went with it, and once they were dominated by Moscow, it automatically follows that they were trying to establish it.

Mr. COHN. You say that the fact that you found they were dominated by Moscow led you to believe they wanted to establish communism. You were going to a meeting of the Young Communist League, and what do you think they had the word "Communist" in the title for? Don't you think the object was to establish communism?

Mr. COLEMAN. In the '30s, at that time, they claimed that they were purely an American party, and they had nothing to do with Moscow.

Mr. COHN. But they wanted to establish communism, and they weren't handing out candy or anything.

Mr. COLEMAN. Well, that is true, but they claimed that they would have free speech and all of the other stuff, and they ranted about it and they raved about it.

Mr. COHN. I will grant you all of that. And, given all of that, did you believe in the end result which they sought or which they openly sought to have?

Mr. COLEMAN. No.

Mr. COHN. You haven't made that clear this morning. The objections you have urged have been objections concerning method and concerning control. How about these letters you say you have? I would be very much interested in those.

Mr. COLEMAN. In 1940, I wrote to someone and stated this, and I don't have the letter but it is being mailed to me, and so I will state it secondhand.

The CHAIRMAN. Who was it to?

Mr. COLEMAN. I wrote it to either the wife of a friend of mine or to himself, Mr. David Spear or his wife.

The CHAIRMAN. S-p-e-a-r?

Mr. COLEMAN. That is right.

I was in Panama at the time, on government duty, for about six months, and this was 1940. At that time I wrote and stated that Stalin was a dictator just like the three other dictators, Hitler and Mussolini. Now, as a Jewish individual, I felt very strongly about Hitler, and when I coupled Stalin in the same words with Hitler, I expressed my opinion without further need for clarification.

I also stated in 1940 that we should rearm as rapidly as we could, because we couldn't fight the war with men alone. We needed machines.

I also stated that despite all of the difficulties we had, democracy was the best form of government, and it was the best thing for us, and this I specifically stated without any particular reason, and I wrote this to my closest friend, or his wife, whom I knew very well, and I had no reason to hide my views from them.

Mr. COHN. What are the other letters?

Mr. COLEMAN. This is the only letter that he quoted to me, and I don't have the letter in my physical possession, and it is being sent to me.

The CHAIRMAN. You said he quoted to you. I do not follow you on that.

Mr. COLEMAN. He is not here physically, and so I talked to him on the telephone, and he told me that he had looked through and he had found this letter of mine, and he quoted me the pertinent paragraphs.

The CHAIRMAN. You are having the letter sent to you?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. I think it would be well if you produced that letter; and you say it was written in 1940?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. How soon will you get that letter?

Mr. COLEMAN. I hope to get it within this week.

The CHAIRMAN. When did he mail it to you?

Mr. COLEMAN. He said he mailed it Tuesday from Washington State.

Mr. COHN. Were there any other charges?

Mr. COLEMAN. Would you let me continue on this charge, and I feel that I have more to say.

Mr. COHN. All right.

Mr. COLEMAN. In 1943, I remember having a discussion about Russia, and this is at the time when Russia was our ally, and I was highly critical of Russia's action in Finland which had taken place previously. Now, it seems to me that if I had been sympathetic in any way to Russia, I wouldn't have been critical of that action.

At the end of the war, when the war broke out or at the end of the war after the atomic bomb had been dropped, I felt that we should not disarm or demobilize; that we should maintain a strong army and navy. I believe that that was directly opposite to any line that the Communists may have been following at that time.

I have been consistent all along, and I believe that there are a large number of people who can testify to this consistency.

Mr. COHN. Any other charges?

Mr. COLEMAN. And I would like to summarize, if you will permit me. I feel that from the date of that meeting that I attended, when I was nineteen years old, I have been anti-Communist in thought and in speech. I believe I can document it with letters and with people who have known me for the past thirteen years.

Mr. COHN. Of course—

The CHAIRMAN. I have one other question. At the time you attended this Communist meeting with Rosenberg, were other students present?

Mr. COLEMAN. I did not recognize who was there, and so I don't know if there were students. I believe they were, but I couldn't say for sure.

The CHAIRMAN. How many people were present?

Mr. COLEMAN. To the best of my knowledge, it was around ten or fifteen.

The CHAIRMAN. And were you introduced to them?

Mr. COLEMAN. No, sir, I was not.

The CHAIRMAN. Where was the meeting held?

Mr. COLEMAN. Well, I would like to describe the location, and I don't know the address, but you went down a hill, and there was a big hill leading up to City College, and you went down the hill and made a left turn, and there was a store somewhere in that block, and it was a dinky sort of a store, and it wasn't well lit, and that is all I remember about it.

The CHAIRMAN. They were all young people?

Mr. COLEMAN. Yes, they seemed to be all young people.

The CHAIRMAN. Of college age?

Mr. COLEMAN. Yes, sir, that is right.

The CHAIRMAN. And you say Rosenberg did not introduce you to any of them?

Mr. COLEMAN. No, sir, to the best of my knowledge, he did not.

The CHAIRMAN. You did not recognize any of them?

Mr. COLEMAN. No, sir, I don't recall remembering anyone that I have recognized.

The CHAIRMAN. Rosenberg would solicit you repeatedly to join the party, and did you get any information from him or from any others as to any other students?

Mr. COLEMAN. Yes, sir, I did, one student, Nathan Sussman, and he told me he was a member of the Young Communist League.

The CHAIRMAN. Nathan Sussman?

Mr. COLEMAN. Yes, S-u-s-s-m-a-n.

The CHAIRMAN. Anyone else?

Mr. COLEMAN. No, sir, I don't remember anyone else. Nathan Sussman, I remember very well, he told me.

The CHAIRMAN. Any of the professors?

Mr. COLEMAN. He did not mention any of the professors.

Mr. COHN. Did you know Mr. Sussman pretty well?

Mr. COLEMAN. No, sir, I did not.

Mr. COHN. Do you know him at all?

Mr. COLEMAN. No, sir, I do not. All I know is, I knew him by sight, but I don't think he was in any of my classes, the best I can remember. He may have been in one.

Mr. COHN. Was he at this meeting of the Young Communist League?

Mr. COLEMAN. I don't think so.

Mr. COHN. Did you ever see him with Rosenberg?

Mr. COLEMAN. Yes, I used to see him with Rosenberg occasionally.

Mr. COHN. Were you ever introduced to him?

Mr. COLEMAN. I don't remember if I was actually introduced to him.

The CHAIRMAN. I may say, Mr. Coleman, that your evidence on this point of what Communists you knew is certainly not convincing to me. Number one, you did not tell the FBI you went to this Communist meeting with Rosenberg until they confronted you with the proof; and number two, the only man you can recall now as being a Communist is Nathan Sussman, and it so happens that you know that Mr. Sussman has been giving information on your Communist activities.

Now, it seems odd that you can only recall Rosenberg, and recall this meeting, after the FBI confronted you with the time and place you went to at least one meeting; and Nathan Sussman after you learned that Sussman has given the information about the Communist meetings you have attended; and can you not think of anyone else, someone that we do not know about?

I may say, just for your benefit, this is the pattern followed so often, and we bring in a man and his memory is hazy, and finally he is nailed down to a time or place, and then he suddenly remembers the time and place he went to a Communist meeting, and then it seems his memory is just no good at all about any other Communists who were there except those known to the FBI or notorious as Communists.

Now, you can think of no one except Sussman and Rosenberg?

Mr. COLEMAN. If you will let me, I would like to explain this. When the FBI questioned me on Rosenberg, I told them about Sussman, and you have just given me information that he was giving information about my Communist activities. I am now testifying under oath, and I state I did not know that.

Now, I would like to tell you something about City College, which might explain why I might not have known. I lived in Brooklyn, and I went and took an hour and a half to get to the campus, and

I was taking an engineering course and I was trying to finish in four years, and so at the end of the college day I would rush right back home and eat my supper and proceed to study. If it had been an out-of-town college where we would have dormitories and see each other, I believe what you just said would be quite pertinent. I myself would doubt testimony I have read. But this was a different situation. I would go up and come back at night, and I never participated in extracurricular activities.

The CHAIRMAN. How well did you know Ethel Rosenberg?

Mr. COLEMAN. I did not know Ethel Rosenberg at all.

The CHAIRMAN. Did you know Greenglass?

Mr. COLEMAN. No, sir.

The CHAIRMAN. You never met him?

Mr. COLEMAN. No, sir, I don't think so; to the best of my knowledge I didn't.

The CHAIRMAN. When did you last see Rosenberg?

Mr. COLEMAN. In this class in my senior year, I last saw Rosenberg.

The CHAIRMAN. You never saw him after that?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. You did not know that he worked at the Signal Corps?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. When did you first learn that he worked at the Signal Corps?

Mr. COLEMAN. When I read about his arrest in the newspapers.

Mr. COHN. Were there any other charges?

Mr. COLEMAN. Yes. I covered the fourth charge, and you have taken up the fifth charge, about the security violation.

Mr. COHN. Anything about the American Labor party?

Mr. COLEMAN. That is the sixth and seventh. My sister is reported to have enrolled in the American Labor party in 1948. Would you like me to discuss that?

Mr. COHN. Yes, sir.

Mr. COLEMAN. I discussed this matter with my sister, and she told me the circumstances under which she had enrolled in the American Labor party. She told me that in the beginning of that year, all her friends had gotten married, and she was the only one left of her social circle, and she was looking to make new social contacts, and she met a friend of hers whom she had known in high school who invited her to attend social gatherings of the Young Progressives Association or League. She attended a number of these gatherings, and she was persuaded to enroll for Wallace.

Now, she tells me the only way she could enroll for Wallace in New York State was to enroll under the American Labor party.

Now, I, unfortunately, was not able to tell her anything about the American Labor party, because at that time I was getting married, and I was away for six weeks, and then I had the setting up of my house, and I had a nose operation. Then my father-in-law died, all before that 1948 election.

When I finally got a chance to talk to her and I told her what was the nature of the American Labor party, she ceased all association with this Young Progressive business. She realized she had been duped by the Wallace campaign.

This is the explanation on that charge.

Mr. COHN. Were you friendly with your sister in 1946?

Mr. COLEMAN. I would see her occasionally when I would visit my home, and I have not lived at my home with my folks for about fifteen years.

The CHAIRMAN. Did she work for the government at any time?

Mr. COLEMAN. No, sir, she did not.

The CHAIRMAN. Do you have any brothers or sisters who worked for any government agency?

Mr. COLEMAN. I believe my youngest sister worked recently at Picatinny Arsenal for a year.

Mr. COHN. Picatinny Arsenal?

Mr. COLEMAN. Yes, sir.

Mr. COHN. Is she still there?

Mr. COLEMAN. No, sir, she is not.

Mr. COHN. Is there anything about her in the specifications against you?

Mr. COLEMAN. No, sir, there was not.

Mr. COHN. How old is she now?

Mr. COLEMAN. Which one?

Mr. COHN. The one who worked at the Picatinny Arsenal.

Mr. COLEMAN. She is the youngest, and she is nine years younger than me, and she is twenty-four, about.

Mr. COHN. I think we covered number six. How about number seven?

Mr. COLEMAN. That is the charge in connection with my mother, that she enrolled in the American Labor party in two years.

Mr. COHN. Which two years?

Mr. COLEMAN. I think it was 1946 or 1947. Now, my mother received her citizen papers in 1942, and she can just about read and write. She doesn't read very well. In 1944 she wanted to vote for Roosevelt, and in order to do so she had to register and pass a literacy test, and she took a test and she failed.

Then the American Labor party went around, advertising "Come to our school and we will teach you and help you to pass the literacy test," and she went. But they didn't teach her. What they did is, they took her the next night to register, and they helped to pass the literacy test. And the way she explains it, she didn't learn anything at the class, but they sort of helped her push her through the literacy test.

So apparently what must have happened, they persuaded her to enroll under the American Labor party in 1944, or thereabouts. She doesn't know anything about politics, and she doesn't read the papers, and she is not a literate person. And when I again found this out and explained it to her, she had nothing more to do with the American Labor party.

The CHAIRMAN. Any other brother or sister working for the government?

Mr. COLEMAN. No, sir. I have three sisters, and only one sister worked for the government.

The CHAIRMAN. How about your brother-in-law?

Mr. COLEMAN. I have a brother-in-law who works at Picatinny Arsenal.

The CHAIRMAN. Picatinny Arsenal?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Is that the husband of the sister who works at the Arsenal?

Mr. COLEMAN. I will tell you the whole story so that you will have it straight.

The CHAIRMAN. You are making your whole story too lengthy, and we will have to call you back this afternoon. We want you to answer at as great a length as you care to. I want to ask you a simple question: Which brother-in-law is it? The husband of the sister who works at the Arsenal?

Mr. COLEMAN. No, sir, it is not.

The CHAIRMAN. What is his name?

Mr. COLEMAN. His name is Saul Slemrod, S-l-e-m-r-o-d.

The CHAIRMAN. Then you have another sister who works there?

Mr. COLEMAN. She doesn't work there now. She left there. Her name is Gloria Erwin, her married name.

The CHAIRMAN. Do you have any other sister-in-laws or brother-in-laws working for the government?

Mr. COLEMAN. No, that is all I have.

The CHAIRMAN. Could you give us the names of anyone else who lived in that apartment, in the house in which you lived?

Mr. COLEMAN. I am sorry, I don't know which house—

The CHAIRMAN. In which you lived at the time you were accused of removing the classified material.

Mr. COLEMAN. In 1946?

The CHAIRMAN. Yes.

Mr. COLEMAN. Well, I think I have mentioned Peter Rosmovsky and I believe, I am not sure of whether this person lived there at that time, but there is a Mr. Murray Miller who works at Evans, and I am not sure whether he lived there in 1946. He lived in that apartment house at some time, but I don't remember when.

The CHAIRMAN. Was Okun a photography fan?

Mr. COLEMAN. No, sir, not as far as I know he wasn't, and I am not sure, but never to my knowledge did he indicate any particular interest in photography.

The CHAIRMAN. Did he have cameras in the apartment?

Mr. COLEMAN. I don't remember. I know this: We didn't take pictures very often, and I don't recall him ever taking pictures, but he may have.

The CHAIRMAN. You do not recall whether he had a camera or not?

Mr. COLEMAN. No, I don't.

The CHAIRMAN. Did you have any photostatic equipment in either your apartment or in the apartment building?

Mr. COLEMAN. In my apartment we did not have any photostatic equipment, and I don't know if there was any in the building.

The CHAIRMAN. Did you ever do any photostating?

Mr. COLEMAN. No, sir, I did not, and I never have.

The CHAIRMAN. Did you ever have anyone else do any photostating for you?

Mr. COLEMAN. I am not sure what you mean. Outside the laboratories, for example?

The CHAIRMAN. Outside the laboratories, yes.

Mr. COLEMAN. I think I may have had my release from active duty photostated once.

The CHAIRMAN. When I use the term "photostat," I am using it in a broad sense as the reproduction of documents, regardless of whether you call it technically photostating or what.

Mr. COLEMAN. To the best of my knowledge, I can't remember. It is possible that I may have, but I don't remember anything particularly.

The CHAIRMAN. Did you ever give anyone any of the classified documents that you removed and took home to your apartment?

Mr. COLEMAN. Did I ever give them to anyone else?

The CHAIRMAN. Yes.

Mr. COLEMAN. No, I did not.

The CHAIRMAN. Okun could have seen them?

Mr. COLEMAN. I believe he could have.

The CHAIRMAN. Where was Okun working then?

Mr. COLEMAN. He was working at the Watson Laboratories, an air force installation.

The CHAIRMAN. Have you a typewriter in your apartment?

Mr. COLEMAN. I don't think so, but I am not sure.

The CHAIRMAN. Did you ever copy any of the classified material you removed from the Signal Corps?

Mr. COLEMAN. I don't think so, but I am not sure.

The CHAIRMAN. You are not sure whether you recopied any of the secret material?

Mr. COLEMAN. I don't think so, but I am not sure. I may have made a note, a particular note, but I didn't do any extensive copying, like copying more than a line or two.

The CHAIRMAN. Was Miller a very close friend of yours?

Mr. COLEMAN. Miller was not a very close friend, no, and he lived with me for a short while before I moved into this apartment, and before I went into the Marine Corps; a very short while. But he was not a close friend of mine.

The CHAIRMAN. Does he work at the Signal Corps?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. He is working there now?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Were you one of his references when he got his job?

Mr. COLEMAN. I don't know.

The CHAIRMAN. Do you have any reason to suspect that he is a Communist or Communist sympathizer?

Mr. COLEMAN. No, sir, I do not.

May I ask you about that previous question? You mean when he got his job with the Signal Corps? I did not know him, so I don't know how he could have used my name.

Mr. SCHINE. Mr. Coleman, who were the people you gave as references when you became connected with the army at Fort Monmouth?

Mr. COLEMAN. I don't remember. That was quite a while ago, and I am not sure who I may have mentioned. I may have put a professor down, or close friends, and I don't remember.

The CHAIRMAN. Can you give us any of the names?

Mr. COLEMAN. If I could get all of my applications, I could look it up, but I don't remember.

The CHAIRMAN. Could you tell us how you happened to take a position there at that time?

Mr. COLEMAN. Yes, sir. I went to the University of Michigan for graduate study right after I graduated from City College, and I had taken civil service examinations, and after I had finished one semester they sent me a telegram and asked me, "Would you like to take employment?" And I answered, "Yes, I would."

The CHAIRMAN. What were your duties in the Marine Corps?

Mr. COLEMAN. I was a radar officer in an anti-aircraft battalion.

The CHAIRMAN. As such, at the time you had top secret and secret work?

Mr. COLEMAN. Secret, and not top secret.

The CHAIRMAN. Secret work?

Mr. COLEMAN. Yes.

The CHAIRMAN. Where was your mother born?

Mr. COLEMAN. My mother was born either in Russia or Poland, and I don't know which. She came to this country about forty years ago.

The CHAIRMAN. At one time you were in a car pool driving to and from work with a number of individuals, and would you give us their names, please?

Mr. COLEMAN. I was in quite a few car pools, and which one do you mean? If you give me the time, I can tell you.

The CHAIRMAN. You were in a car pool with Mr. Ducore?

Mr. COLEMAN. That is right.

The CHAIRMAN. And Mr. Corwin?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And was there someone else in this car pool?

Mr. COLEMAN. Yes. At that time it was Ducore, Corwin, Samuel Levine, and I think originally there was a fellow by the name of William Gold, and then I think Lou Volp came in somewhere, but I am not sure of the exact dates.

The CHAIRMAN. This car pool lasted for a number of months?

Mr. COLEMAN. I think it lasted more than a number of months.

The CHAIRMAN. How long did it last?

Mr. COLEMAN. Well, I came into this car pool, and it was going strong when I entered it, after I got married in 1948, and when I was in that car pool the membership didn't remain the same, but I was in that car pool until I was removed from classified work in January or February of 1952.

The CHAIRMAN. You were in this car pool until that time?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You carry a briefcase to and from work, do you?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. You never carried a briefcase?

Mr. COLEMAN. Yes, I would carry a briefcase when I would be going on travel duty during the day, so I would carry the briefcase and leave it in the guard booth, because you weren't permitted to carry any briefcase or suitcase, or I might leave it in my car if I had my car, and then when I got back and got out, I would take the suitcase or the briefcase and go on the travel with it.

The CHAIRMAN. Didn't you have the briefcase with you in the car frequently?

Mr. COLEMAN. Not that I recall, in that period.

The CHAIRMAN. You did not carry a briefcase regularly?

Mr. COLEMAN. I will tell you why. You see, I went to school, and I was married then, and I would go home and have a quick bite and pick up my books and go and join another car pool to Rutgers, which is where I was going.

The CHAIRMAN. Who was in that car pool?

Mr. COLEMAN. There was Lieutenant Colonel Irving Moskowitz, and Captain Thomas O'Neill.

The CHAIRMAN. Getting back to your mother for a second. When you filled out your application, you listed where your mother was born, did you not?

Mr. COLEMAN. Yes, I did.

The CHAIRMAN. When you were driving in this car pool, did you from time to time refer to the contents of the briefcase?

Mr. COLEMAN. Well, I didn't have the briefcase often enough to even mention it. There would have been no reason to have a briefcase that frequently. Now, if I did have it, I probably told the fellows, "It is my school books." Or if it was a suitcase, I was going on travel duty that night, and I was going to leave during the day, so they should not pick me up at night.

The CHAIRMAN. Do I understand you to say that you do not know where your mother was born?

Mr. COLEMAN. I think it was either Russia or Poland, but that thing shifted around quite a bit, and I do not know the exact town.

The CHAIRMAN. You do not know what town she was born in?

Mr. COLEMAN. No, I am not sure. I think it was somewhere in that general area, but I don't know the exact town.

The CHAIRMAN. In which general area?

Mr. COLEMAN. Between the boundary of Russia and Poland.

The CHAIRMAN. Didn't you ever discuss with her where she was born and what town she was born in, or anything like that?

Mr. COLEMAN. I may have, but I don't remember the name of it. If you wish to explore that a little bit, I remember that there were general discussions in which we said Minsk, but I don't think that was the actual name of the town.

The CHAIRMAN. So you do not know whether she was born in Minsk or Omsk, or what?

Mr. COLEMAN. It was a rural town somewhere in that general area.

The CHAIRMAN. Not that it is terribly important, but it seems unusual that at no time does your mother ever tell you whether she was born in Russia or Poland. She would know whether she was born in Russia or Poland.

Mr. COLEMAN. You see, since the boundaries did change quite a bit and she was not a very literate person, she would not know exactly what it was she was born in. My father might have, on the other hand.

Mr. SCHINE. Where was your father born?

Mr. COLEMAN. Somewhere in that same area, but I don't remember the town. He told me the town, but I don't remember it.

The CHAIRMAN. You do not know whether he was born in Russia or Poland?

Mr. COLEMAN. No, sir, I do not.

Mr. SCHINE. Did you know Marcel Ullmann?

Mr. COLEMAN. No, sir, I did not.

Mr. SCHINE. You never knew him?

Mr. COLEMAN. No, sir.

Mr. SCHINE. Do you know Bernard Martin?

Mr. COLEMAN. Bob Martin? Yes, I do.

Mr. SCHINE. Did you ever discuss with him the situation with regard to his having given secret papers to Marcel Ullmann?

Mr. COLEMAN. Yes, he told me about that, and he described the general circumstances about it.

Mr. SCHINE. What was the result of your conversation?

Mr. COLEMAN. I am not sure what you mean. In my mind?

Mr. SCHINE. Yes.

Mr. COLEMAN. Well, I thought he was telling me the truth, that he was required by the nature of his job to make such information available to people who were authorized to receive it; and apparently Marcel Ullmann was authorized to receive it, and so he made it available to him.

Mr. SCHINE. Do you know Joseph Levitsky?

Mr. COLEMAN. No, I do not.

Mr. SCHINE. Louis Kaplan?

Mr. COLEMAN. No, I do not.

Mr. SCHINE. Do you know any Communist party members whose names you haven't told us, or with whom you have been in contact directly or indirectly?

Mr. COLEMAN. No. The only ones I have mentioned was Sussman and Rosenberg, and I can't think of anyone else. There may have been, but I don't recall right now.

Mr. SCHINE. Can you think of any that you would like to give us besides those two?

Mr. COLEMAN. I don't remember anyone telling me that he was a Communist party member.

Mr. SCHINE. Do you remember conversing with anyone who professed pro-Communist views?

Mr. COLEMAN. No, I don't. I don't remember.

Mr. SCHINE. Have you ever met anyone from Russia?

Mr. COLEMAN. I think yes. I think the wife of Mr. Kitty was of Russian origin.

Mr. SCHINE. What was her name?

Mr. COLEMAN. I don't remember her first name.

Mr. SCHINE. Do you speak Russian?

Mr. COLEMAN. No, sir, I do not.

Mr. SCHINE. Have you ever been out of the United States?

Mr. COLEMAN. Yes, I have. I was in Panama in 1940 for five months, and I served overseas in the Pacific, and I also visited England on business in 1950, and a little time in Paris.

Mr. SCHINE. You have never been in any other places but England, France, and Panama?

Mr. COLEMAN. That is right, as far as I can recall.

Mr. SCHINE. Have you ever been to Canada?

Mr. COLEMAN. I may have been there once, but I don't remember. I think I may have been there once.

Mr. SCHINE. Will you tell us when you went to Canada?

Mr. COLEMAN. I think that I may have been there during the war on business, but I am not sure.

Mr. SCHINE. Where did you go in Canada?

Mr. COLEMAN. It was this company called REL, and frankly, I don't remember what they mean, REL, but it was doing a lot of work with the United States government during the war, and I think I may have visited them.

Mr. SCHINE. Where was this in Canada?

Mr. COLEMAN. I think it was Montreal.

Mr. SCHINE. And with whom did you deal when you visited this company?

Mr. COLEMAN. I don't remember.

Mr. SCHINE. What was the nature of the work?

Mr. COLEMAN. They were producing radar equipment that was being used by our army.

Mr. SCHINE. You do not recall the names of any of the individuals with whom you dealt?

Mr. COLEMAN. I am sorry, I don't, because I don't think—I may have made one or two visits, but that is all.

Mr. SCHINE. What were your actual duties in the Marine Corps?

Mr. COLEMAN. I was the radar officer of a battalion, an anti-aircraft battalion, and it was my responsibility to keep the radars maintained, to see they were properly sighted, and to see that they were doing a good job.

Mr. SCHINE. When were these duties?

Mr. COLEMAN. In 1944 and 1945.

Mr. SCHINE. And where were you stationed?

Mr. COLEMAN. I was stationed at Guadalcanal, and this is my overseas stations, Langer and Okinawa.

Mr. SCHINE. Will you repeat your duties in the Marine Corps?

Mr. COLEMAN. I was a radar officer for an anti-aircraft battalion, and I was in three different ones. That is why the plural. And my job was to maintain the radars in proper operating condition, to supervise personnel in so doing, and to see that they operated properly, and in other words that they did their job.

Mr. COHN. Mr. Coleman, at the request of your counsel, I wanted to clarify some things here. See if I understand this correctly.

These forty-three documents which were found in your home, number one, they were not taken all at once; they were taken at various times. Is that right?

Mr. COLEMAN. Yes, sir.

Mr. COHN. And number two, they were not all Signal Corps documents. Some were documents from the Marine Corps. Is that correct?

Mr. COLEMAN. Yes, sir.

Mr. COHN. How many were from the Marine Corps?

Mr. COLEMAN. I would say maybe about ten.

Mr. COHN. Ten Marine Corps and about thirty-three Signal Corps?

Mr. COLEMAN. No. Some were personal, and I would say some were personal notes that I made from textbooks and things like that.

Mr. COHN. How many would you say were Signal Corps?

Mr. COLEMAN. My guess would be about a third each.

Mr. COHN. About a third each?

Mr. COLEMAN. Yes, sir, that is, approximately.

Mr. COHN. And then your contention is, of course, that the essence of your offense, the thing which you admit having done wrong, is having been careless in the custodianship of these documents in not keeping them under lock and key?

Mr. COLEMAN. I should have had them in a three-combination lock, and according to AR-380-5, and I should have had them downgraded and I didn't.

The CHAIRMAN. One other question. You said that you had received a pass to remove the documents from the Signal Corps. Did you get any pass or any permission to take the classified documents from the Marine Corps?

Mr. COLEMAN. The documents, as far as I know, were not classified at that time, although they were marked. The documents for which I was charged and which were classified, I burned in the company of another officer, and I actually happen to have the receipt. And the other documents, I considered they were no longer classified, because I assumed that the war was over, and I took it home with me.

The CHAIRMAN. They were stamped either secret or confidential or top secret?

Mr. COLEMAN. I believe that the probability was that they were restricted or confidential, and I never had top secret material in my possession.

The CHAIRMAN. And they had to do with your work in radar, I assume.

Mr. COLEMAN. They were books of the type of fundamental principles of radar, which was a technical manual put out by the army, and which was, I think, stamped restricted, and there were some instruction books on equipment, and things of that nature.

The CHAIRMAN. They had to do with radar, and they were stamped either secret or confidential or restricted, and not top secret?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You got no pass to take those documents along with you, did you?

Mr. COLEMAN. No specific pass, no.

The CHAIRMAN. Well, no pass.

Mr. COLEMAN. No pass.

The CHAIRMAN. No permission from anyone?

Mr. COLEMAN. That is right.

The CHAIRMAN. You had no permission from anyone to take those military documents?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. When you say "Yes, sir," you mean that you got no pass or no permission?

Mr. COLEMAN. I assumed they were no longer classified.

The CHAIRMAN. You assumed that the war was over and they were not classified?

Mr. COLEMAN. Because I had read the same information in electronic journals.

Mr. SCHINE. Isn't it true, Mr. Coleman, that it is possible for certain individuals to have a pass which will give them the blanket privilege to remove material whenever they wish?

Mr. COLEMAN. I believe that occurred after this violation, but I am not sure, and it is a little white pass.

Mr. SCHINE. Isn't it true that when you take a document out on a specific pass, that you are supposed to return it within a certain time?

Mr. COLEMAN. I don't recall that there was such a regulation, and there may have been, but I don't remember. It certainly did not indicate it on the pass, that I remember.

Mr. SCHINE. Isn't that logical, that there would be a regulation that if you have a specific pass to take out a certain document, that you cannot keep it indefinitely?

Mr. COLEMAN. I would think it was logical, but it was not followed up, and it was not a practice, and it was not indicated on the pass, to the best of my knowledge, and it was not emphasized at that time.

Mr. COHN. Counsel wants me to ask you about this book, entitled *Radar System*, by Ridenour, and it was published in 1947.⁴ In showing us this book, I believe it is your contention that much of the material or some of the material found in your home appeared in this textbook shortly thereafter, indicating that it would not have been of substantial benefit to the enemy.

Mr. COLEMAN. Yes, sir.

Mr. COHN. We will be glad to do that.

The CHAIRMAN. That will be all.

Did you have any further questions, Mr. Green?

Mr. GREEN. Thank you, no, Senator, and I think that that covers the situation.

[Whereupon, at 12:20 p.m., the hearing was recessed until 1:30 p.m., of the same day.]

AFTERNOON SESSION

[The hearing reconvened at 2:15 p.m.]

The CHAIRMAN. We will proceed.

Mr. SCHINE. Mr. Coleman had something he wanted to add to the testimony he gave before noon.

You are reminded you are under oath, and you had a statement you wished to make?

TESTIMONY OF AARON H. COLEMAN (ACCOMPANIED BY HIS COUNSEL, RICHARD F. GREEN) (RESUMED)

Mr. COLEMAN. Yes. You asked me if I knew or know of any Communists, Mr. Schine.

The CHAIRMAN. Mr. Coleman, you had something additional you wanted to add to the testimony you gave this morning?

Mr. COLEMAN. Yes.

⁴Louis Ridenour, *Radar System Engineering* (New York: McGraw-Hill, 1947).

The CHAIRMAN. You can add whatever you like.

Mr. COLEMAN. You asked me if I knew of any Communists, or heard of any and so forth, and I was reconsidering that and thinking of it and then I recalled that a fellow I used to know many years ago told me once that his brother was a Communist.

Mr. COHN. What was his name?

Mr. COLEMAN. The fellow's name is George Winstein, and his brother's name is Louis Winstein. Now, I met this fellow and I bumped into him when I returned from the Marine Corps once, and I knew him as this brother of this friend of mine, and he lived with him a couple of blocks from where my folks' house was, and that is how I happened to bump into him, and he invited me to his house to meet his wife, and that is the only contact I remember with him. His brother, I broke off with him years ago, because, well, he married a girl I thought I wanted to marry, and we haven't seen each other, and I don't think we have seen each other for quite a while. That is the circumstances about this extra fellow.

The CHAIRMAN. I missed something there for a minute. This other Communist you knew, that you think was a Communist, married a girl you had been dating with?

Mr. COLEMAN. No, I am sorry. Let me back up a little. I knew this fellow George Winstein and he and I were close friends in the late '30s, and now when he married a girl that I thought I was in love with, after that time circumstance were such that we didn't see each other very often, but I remember him telling me at that time that his brother was a Communist.

Now, my contacts with his brother were limited to the few times that I may have seen him in the same house as George Winstein. Now, when I returned from the Marine Corps, I bumped into him once because he lived a few blocks away from my parents' house. I believe it was around the same month when I just put on civilian clothes, and it seemed to me around that time. Since I hadn't seen him, he asked me to come in just to meet his wife, whom he had married since. I did that but that was my only contact with him. He never gave me the impression and never tried to talk about anything at all.

Now, I want to say one more thing. In thinking it over and I have been doing this thinking at lunch time, his brother I believe works for the government, not the Communist, but the brother, George Winstein works for the government somewhere in the Corps of Engineers, for the New York engineers, in New York.

Mr. COHN. He works for the army in the Corps of Engineers?

Mr. COLEMAN. Yes, sir.

Mr. SCHINE. Could you give us the address of the place this Communist lived?

Mr. COLEMAN. I don't know where he lives.

Mr. SCHINE. You say it was near your parents' place.

Mr. COLEMAN. At that time it was on Rockaway Parkway, and East 96th Street.

Mr. COHN. This was approximately what year?

Mr. COLEMAN. 1946, January or February, approximately.

The CHAIRMAN. Thank you very much. That is all that I have. Is that all that you wanted to add?

Mr. COLEMAN. That is all.

The CHAIRMAN. There is just one thing else. I want you to contact your mother and father, and ask them where they were born, will you?

Mr. COLEMAN. Yes, sir; do you want me to send that to you?

The CHAIRMAN. Yes.

Mr. COLEMAN. Thank you.

Mr. SCHINE. Thank you very much.

The CHAIRMAN. Will you please raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. POMERENTZ. I do.

TESTIMONY OF SAMUEL POMERENTZ

Mr. COHN. Give us your full name, please.

Mr. POMERENTZ. Samuel Pomerentz.

Mr. COHN. How is that spelled?

Mr. POMERENTZ. S-a-m-u-e-l P-o-m-e-r-e-n-t-z.

Mr. COHN. Where do you reside?

Mr. POMERENTZ. 716 Sixth Avenue, Asbury Park, New Jersey.

Mr. COHN. What do you do?

Mr. POMERENTZ. I am an electronics engineer for the Signal Corps Engineering Laboratories at Evans Signal Laboratory.

Mr. COHN. How long a period of time have you been at Monmouth?

Mr. POMERENTZ. For the Signal Corps laboratories, you mean?

Mr. COHN. In any capacity.

Mr. POMERENTZ. I was employed there first in July of 1940, and I have been there since except for my period in the armed services from September 1943 to April of 1946.

Mr. COHN. And you are currently employed at the Evans Laboratory?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. Do you have security clearance?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. Up to what?

Mr. POMERENTZ. Top secret.

Mr. COHN. Up to top secret?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. Do you know Morton Sobell?

Mr. POMERENTZ. I remember him from school.

Mr. COHN. Have you ever seen him since school days?

Mr. POMERENTZ. I have never seen him since school days.

Mr. COHN. Your testimony is that you have never seen him since school days, is that right?

Mr. POMERENTZ. Seeing him, even glimpsing him? I remember vaguely seeing him outside the Institute of Radio Engineers at their annual conference.

Mr. COHN. When was that?

Mr. POMERENTZ. Two or three years ago, and I saw him from a distance and I did not stop to speak to him.

Mr. COHN. Is it your testimony you did not speak to him at all since the days you left City College?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. You are very sure of that?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. Do you know a man named William Perl or William Mutterperl?

Mr. POMERENTZ. I remember William Mutterperl from City College.

Mr. COHN. Did you ever see him after you left college?

Mr. POMERENTZ. Not to my knowledge.

Mr. COHN. Are you very sure of that?

Mr. POMERENTZ. I am fairly sure of that, and I don't remember ever seeing him.

Mr. COHN. Pardon me?

Mr. POMERENTZ. I am fairly sure of that.

Mr. COHN. How well did you know him in college?

Mr. POMERENTZ. Not well at all, and I think he was in one of my classes.

Mr. COHN. How about Sobell?

Mr. POMERENTZ. Sobell may have been in one of my classes.

Mr. COHN. Do you remember Sobell from college?

Mr. POMERENTZ. Yes, I remember him at college.

Mr. COHN. Did you know him at college?

Mr. POMERENTZ. I knew him as one of the students, yes.

Mr. COHN. Did you have a speaking acquaintance with him?

Mr. POMERENTZ. Well, an acquaintance of saying hello, a speaking acquaintance, yes.

Mr. COHN. Did you have any social contact with him while you were in college?

Mr. POMERENTZ. No, sir.

Mr. COHN. How about Mutterperl?

Mr. POMERENTZ. None at all.

Mr. COHN. You did not?

Mr. POMERENTZ. No, sir.

Mr. COHN. How about Julius Rosenberg?

Mr. POMERENTZ. I vaguely remember his face, as seeing him in the papers, from City College. Otherwise I have no knowledge of him.

Mr. COHN. You have no knowledge of him at all?

Mr. POMERENTZ. No, sir.

Mr. COHN. What section do you work in at Evans?

Mr. POMERENTZ. Countermeasures Branch.

Mr. COHN. Is that under Dr. Keiser?

Mr. POMERENTZ. Mr. Keiser, yes.

Mr. COHN. Do you know Aaron Coleman?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. How well do you know Mr. Coleman?

Mr. POMERENTZ. I knew him in school, and I met him when I came to work in the Signal Corps, and I have seen him from time to time during the period he has been at the laboratories.

Mr. COHN. Have you ever known him socially?

Mr. POMERENTZ. No.

Mr. COHN. You have never been to his home?

Mr. POMERENTZ. No.

Mr. COHN. He has never been to your home?

Mr. POMERENTZ. No.

Mr. COHN. Did you know Vivian Glassman?

Mr. POMERENTZ. No, sir.

Mr. COHN. You didn't know her at all?

Mr. POMERENTZ. No, sir.

Mr. COHN. Did you know a man named Marcel Ullmann?

Mr. POMERENTZ. No. I never heard the name.

Mr. COHN. How about Louis Kaplan?

Mr. POMERENTZ. I never heard that name.

Mr. COHN. When you say you never have heard the name, I assume that means that you don't know the individual.

Mr. POMERENTZ. I don't know the individual.

Mr. COHN. That applies to all of the answers you have given here?

Mr. POMERENTZ. That is right.

Mr. COHN. Where was it that you think you saw Sobell two or three years ago?

Mr. POMERENTZ. In the Institute of Radio Engineers in Grand Central Palace, I saw him standing outside one day.

Mr. COHN. You did not talk with him?

Mr. POMERENTZ. No, sir. He was talking to somebody else.

Mr. COHN. To whom was he talking?

Mr. POMERENTZ. I didn't recognize the man.

Mr. COHN. Now, have you ever lived with anybody who works at Evans Laboratory at Monmouth?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. With whom?

Mr. POMERENTZ. I lived with Mr. Coleman back in 1940, not with him, in the same rooming house, for a short period at the end of 1940. I lived with Mr. Ducore, he is still at Evans, in 1942 or 1943 before I went into the service, and Mr. Martin lived at that same place.

Mr. COHN. Bob Martin?

Mr. POMERENTZ. Yes, sir. Who is working now, you mean?

Mr. COHN. Anybody who is there now or anybody who has worked there.

Mr. POMERENTZ. After I came back, I lived with Messrs. Saltzman and Morrow. They still work.

Mr. COHN. Do you know Carl Greenblum?

Mr. POMERENTZ. Yes, sir.

Mr. COHN. How well do you know him?

Mr. POMERENTZ. I don't know him very well. I remembered him from school, and he came to work at the laboratories sometime after the war, and I believe from the air force.

Mr. COHN. Have you ever belonged to any subversive organizations?

Mr. POMERENTZ. No, sir.

Mr. COHN. Of any type?

Mr. POMERENTZ. No, sir.

Mr. COHN. Did anybody ever ask you to join any?

Mr. POMERENTZ. Never.

Mr. COHN. When you were at college, did anybody ever ask you to join the Young Communist League?

Mr. POMERENTZ. No, sir.

Mr. COHN. Nobody ever asked you?

Mr. POMERENTZ. No, sir.

Mr. COHN. Nobody tried to induce you into any subversive activity?

Mr. POMERENTZ. No, sir.

Mr. COHN. In asking about a subversive organization, I would include any organization named by the attorney general or any organization that you heard alleged to be subversive.

Mr. POMERENTZ. I saw the recent attorney general's list, and it was passed around the laboratories.

Mr. COHN. You are very sure the only time you saw Mr. Sobell—and this is important—is on that one occasion two or three years ago, and he was not in your house or around your house, that you know of?

Mr. POMERENTZ. No, sir.

Mr. COHN. Could you wait in the witness room for a few minutes?

Mr. POMERENTZ. All right.

The CHAIRMAN. Before you leave, just for your protection, I want to tell you that we have witnesses here of sizeable number who will testify, and we do not make any pre-decision as to whether they are telling the truth or whether you are. They will testify in complete opposition to what you have said, so before you leave and we call in the other witnesses, is it your positive testimony, number one, that you have never attended Communist meetings?

Mr. POMERENTZ. Yes, sir.

The CHAIRMAN. You have never been solicited to join the Communist party?

Mr. POMERENTZ. I never have.

The CHAIRMAN. And that you were not closely associated with Sobell?

Mr. POMERENTZ. That is true.

The CHAIRMAN. If you will wait outside, we will want to call you back.

The CHAIRMAN. Raise your right hand, Mr. Yamins.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YAMINS. I do.

**TESTIMONY OF HYAM GERBER YAMINS (ACCOMPANIED BY
HIS COUNSEL, STUART C. RAND)**

Mr. COHN. Could we get the name and address of counsel?

Mr. RAND. Stuart C. Rand, partner in the firm of Choate, Hall & Stewart, 30 State Street, Boston 9, Massachusetts.

Mr. COHN. Could we get your full name?

Mr. YAMINS. Hyam Gerber Yamins, H-y-a-m, G-e-r-b-e-r, Y-a-m-i-n-s.

Mr. COHN. Now, Mr. Yamins, have you been employed by the Army Signal Corps at any period of time?

Mr. YAMINS. Yes, sir, I have.

Mr. COHN. From when to when?

Mr. YAMINS. From August of 1940 to date.

Mr. COHN. Where have you worked?

Mr. YAMINS. I have worked physically at the Evans Signal Laboratory.

Mr. COHN. During what period of time?

Mr. YAMINS. In Belmar, New Jersey.

Mr. COHN. What period of time?

Mr. YAMINS. From the time it started down there, roughly.

Mr. COHN. When was that?

Mr. YAMINS. 1941.

Mr. COHN. Where did you work from 1940 to 1941?

Mr. YAMINS. Out at Sandy Hook with headquarters at Fort Monmouth.

Mr. COHN. All right. You were at Evans from 1941 to when?

Mr. YAMINS. 1947.

Mr. COHN. Where did you go in 1947?

Mr. YAMINS. To the headquarters, which are located at Bradley Beach Hotel.

Mr. COHN. Where is that?

Mr. YAMINS. That was actually in Chalk River Hills.

Mr. COHN. Where?

Mr. YAMINS. New Jersey.

Mr. COHN. And how long were you there?

Mr. YAMINS. Until that moved up to Squire Laboratory at Fort Monmouth.

Mr. COHN. When was that?

Mr. YAMINS. Some months after that. I don't know.

Mr. COHN. How long were you at Squire Lab?

Mr. YAMINS. Until the end of 1949.

Mr. COHN. Where did you go then?

Mr. YAMINS. Back to Evans Laboratory.

Mr. COHN. How long were you there?

Mr. YAMINS. Up until May of 1951.

Mr. COHN. Did you then go to MIT?

Mr. YAMINS. Yes, sir.

Mr. COHN. And you are chief of the radiation laboratory?

Mr. YAMINS. No, sir, I am not.

Mr. COHN. What are you?

Mr. YAMINS. I am technical adviser to MIT and liaison engineer to agencies in the Boston area for the Signal Corps Engineering Laboratories.

Mr. COHN. Liaison engineer?

Mr. YAMINS. Yes, sir.

Mr. COHN. Between MIT and what?

Mr. YAMINS. Between the Signal Corps Engineering Laboratories and agencies in the Boston area.

Mr. COHN. What is your rating?

Mr. YAMINS. GS-14.

Mr. COHN. What is your salary?

Mr. YAMINS. It is either \$10,400 or \$10,600.

Mr. COHN. In these capacities which you have, you have access to classified information?

Mr. YAMINS. Yes, sir.

Mr. COHN. Up to what?

Mr. YAMINS. My clearance has been through top secret, but I don't believe I have handled any top secret information.

Mr. COHN. Your clearance has been through top secret, is that right?

Mr. YAMINS. Yes, sir.

Mr. COHN. You were suspended on September 28, is that correct?

Mr. YAMINS. I believe that is right.

Mr. COHN. And you received a letter of charges?

Mr. YAMINS. I did, sir.

Mr. COHN. Why don't we start off with that. What was the first charge?

Mr. YAMINS. May I get that from my counsel?

Mr. COHN. Surely.

Mr. RAND. September 23 is the date of the letter.

Mr. COHN. Thank you.

Mr. YAMINS. I don't know whether my name was on any membership list of this outfit.

Mr. COHN. Do you have a copy of the letter?

Mr. YAMINS. Yes, sir.

Mr. COHN. Could I see it?

Mr. YAMINS. This is the original of it.

Mr. COHN. We will give it right back to you.

[Document handed to Mr. Cohn.]

Mr. COHN. First of all, they say your name was on a membership of the Monmouth County Unit of the New Jersey Independent Citizens League which in 1947 became affiliated with the Progressive Citizens of America. Was that accurate?

Mr. YAMINS. I don't know whether my name was on any list. I was not a member and I did not attend any meetings.

Mr. COHN. Did you ever have any connection with it?

Mr. YAMINS. The only connection I might have had was that as a member of the United Public Workers, I might have donated some money for it.

Mr. COHN. You might have donated some money, but you were not a member?

Mr. YAMINS. No.

Mr. COHN. But you know that the organization was Communist dominated?

Mr. YAMINS. I knew nothing about it.

Mr. COHN. Were you ever a member of the United Federal Workers of America?

Mr. YAMINS. Yes, sir.

Mr. COHN. Do you know that that was under Communist domination?

Mr. YAMINS. No, sir, I did not.

Mr. COHN. Did you ever read that anywhere?

Mr. YAMINS. I read it in the papers, yes.

Mr. COHN. Didn't you believe what you read about it?

Mr. YAMINS. Well, after 1947 I began to believe it, and at that time I had nothing more to do with it.

Mr. COHN. Were you ever a member of the United Public Workers, too? One succeeded the other.

Mr. YAMINS. I believe that is right.

The CHAIRMAN. The reporter will have some difficulty taking down what you are saying unless you speak a little louder.

Mr. YAMINS. I am sorry, sir.

Mr. COHN. Now, getting back to this New Jersey Independent Citizens League, did you have anything to do with a rally held by the league at the home of a member of the Communist party?

Mr. YAMINS. No, sir, I did not.

Mr. COHN. You know of this Brook Farm incident?

Mr. YAMINS. I don't know unless you are talking about a rally for Wallace.

Mr. COHN. Did you ever attend any meeting at Applebrook Farm?

Mr. YAMINS. No, sir.

Mr. COHN. Did you have anything to do with organizing one?

Mr. YAMINS. No, sir.

Mr. COHN. Did you participate?

Mr. YAMINS. I did not participate in any rally.

The CHAIRMAN. Did you ever go to Applebrook Farm?

Mr. YAMINS. I did not.

Mr. COHN. Did you ever attend any meeting in behalf of Wallace?

Mr. YAMINS. I did not.

Mr. COHN. Now, do you know a man by the name of Marcel Ullmann?

Mr. YAMINS. Yes, sir.

Mr. COHN. When did you first meet Marcel Ullmann?

Mr. YAMINS. I met him when he was an engineer at the Evans Laboratory, and I don't know the date.

Mr. COHN. How well did you know him?

Mr. YAMINS. I knew him in connection with his work there, and I also knew him as president of the union, and he came around to collect dues.

The CHAIRMAN. As president of the union?

Mr. YAMINS. I believe that is right.

The CHAIRMAN. I wonder if you would try to speak a little louder.

Mr. YAMINS. Yes, sir. I am sorry, sir.

Mr. COHN. Did you know Ullmann socially at all?

Mr. YAMINS. No, sir, I did not.

Mr. COHN. Did you know Mrs. Ullmann?

Mr. YAMINS. No.

Mr. COHN. Jane Ullmann?

Mr. YAMINS. I don't know whether she is Mrs. Ullmann or not.

Mr. COHN. Do you know a woman named Jane Ullmann?

Mr. YAMINS. No, sir, I do not.

Mr. COHN. You say Ullmann would come around to collect dues, and where would he collect these dues? On army property, or what?

Mr. YAMINS. At the office, I believe, and he once came around to my house.

Mr. COHN. Yes, he did; and how many times was he at your home?

Mr. YAMINS. Once.

Mr. COHN. Are you sure it was only once?

Mr. YAMINS. I am quite sure.

Mr. COHN. Who else was present when he was in your home?

Mr. YAMINS. His daughter was there, I believe.

The CHAIRMAN. You did not know whether she was Mrs. Ullmann or not, when counsel asked you about that, about Mrs.

Jane Ullmann. I do not quite understand that. Did you know a woman who you considered Mrs. Ullmann?

Mr. YAMINS. No, sir. I might have met her, but I had——

Mr. COHN. Did you know a woman named Jane Ullmann?

Mr. YAMINS. No, sir.

Mr. COHN. What was his daughter's first name?

Mr. YAMINS. I don't know.

Mr. COHN. You say his daughter was with him when he came to your home?

Mr. YAMINS. I remember a red-headed girl with him.

Mr. COHN. You did not know her name was Jane Ullmann?

Mr. YAMINS. His daughter?

Mr. COHN. The lady who was with him the night he called on you.

Mr. YAMINS. No, I did not, if there was a lady with him.

Mr. COHN. You just told me there was.

Mr. YAMINS. Excuse me, can I consult my counsel?

Mr. COHN. Surely.

[The witness conferred with his counsel.]

Mr. YAMINS. His daughter was a very young girl.

Mr. COHN. To whom are you referring, and who came with him when he went to your house?

Mr. YAMINS. I remember his daughter. His wife might have been there, and I don't remember her.

Mr. COHN. When you are talking about a lady with red hair, you are talking about his child?

Mr. YAMINS. Yes, sir.

Mr. COHN. Was there a lady in addition to the daughter?

Mr. YAMINS. I don't know.

Mr. COHN. How long did Mr. Ullmann remain at your home?

Mr. YAMINS. Perhaps half an hour.

Mr. COHN. Did you say nobody else was present?

Mr. YAMINS. No. There was somebody else.

Mr. COHN. Who was that?

Mr. YAMINS. A mechanic.

Mr. COHN. What was his name?

Mr. YAMINS. I can't remember, but he used to visit us quite often.

Mr. COHN. Do you recall his first name or the last name?

Mr. YAMINS. Lennie.

Mr. COHN. We will let you think about that for a moment. In the meantime, what union was he collecting dues for? Was that the United Public Workers of America?

Mr. YAMINS. Yes, sir.

Mr. COHN. Did you not know that Mr. Ullmann was a well known Communist?

Mr. YAMINS. I didn't at that time.

Mr. COHN. When did you find that out?

Mr. YAMINS. I gathered that from when he was suspended later on, and I heard that he did not fight the charges.

Mr. COHN. Did you ever attend any meeting of any kind at which Mr. Ullmann was present, in addition to this call at your house?

Mr. YAMINS. I attended meetings of the United Public Workers at which he was there, and I attended the meeting referred to

there, the Russian War Relief, and he might have been there, I don't know.

Mr. COHN. This meeting to which I would refer was held after the war was over, well after the war was over; in fact, over a year after the war was over, a meeting to raise money and collect clothing for Russia.

Mr. YAMINS. He might have been there.

Mr. COHN. Did you attend such a meeting?

Mr. YAMINS. I did.

Mr. COHN. Under whose auspices was that held?

Mr. YAMINS. Under the auspices of the organization mentioned there.

Mr. COHN. Who asked you to come to that meeting?

Mr. YAMINS. Mr. Raymond Wexler.

Mr. COHN. How do you spell that name?

Mr. YAMINS. W-e-x-l-e-r.

Mr. COHN. Is he still working at Monmouth?

Mr. YAMINS. No, sir, he is not. He is working at MIT.

Mr. COHN. For the Signal Corps?

Mr. YAMINS. No, sir.

Mr. COHN. Did he ever work for the Signal Corps?

Mr. YAMINS. He did.

Mr. COHN. When did he go to MIT?

Mr. YAMINS. I can't tell you that; I don't know.

Mr. COHN. Do you know someone named Louie Kaplan?

Mr. YAMINS. I know a Louis Kaplan who is in the Thermionics Branch, and I heard there was another Louis Kaplan, and I had nothing to do with him, and I don't know who he is.

Mr. COHN. Do you know a man named Bennett Davis?

Mr. YAMINS. It means nothing to me whatsoever.

Mr. COHN. J. Millstein?

Mr. YAMINS. Yes, I know J. Millstein.

Mr. COHN. You say you know Mr. Millstein?

Mr. YAMINS. Yes. He is the husband of Dr. Muriel Udin, U-d-i-n. She is a cousin of my wife's.

Mr. COHN. Do you know her to be a party member?

Mr. YAMINS. I do not.

Mr. COHN. How friendly are you with Dr. Udin and Mr. Millstein?

Mr. YAMINS. Quite friendly, in a family way.

Mr. COHN. Did you know that they were Communists or Communist sympathizers?

Mr. YAMINS. I didn't know they were Communists.

Mr. COHN. Did you know they were Communist sympathizers? Now, if you are friendly, you must have had some discussions with them.

Mr. YAMINS. I think she was a liberal, possibly "pinkish."

Mr. COHN. Possibly "pinkish"?

Mr. YAMINS. Yes, in the '30s.

Mr. COHN. When did you last see Dr. Udin?

Mr. YAMINS. I don't know. I called her up on the telephone when I received this letter, and told her that I didn't want to see her and she wasn't to see me.

Mr. COHN. When did you see her before you called her up on the telephone?

Mr. YAMINS. It might have been a week or a couple of weeks.

Mr. COHN. You were pretty friendly with Dr. Udin and her husband?

Mr. YAMINS. Yes, I was.

Mr. COHN. And you say you thought that she was possibly "pinkish." How about Mr. Millstein?

Mr. YAMINS. I think he was very conservative.

Mr. COHN. As far as Dr. Udin is concerned, what do you mean by saying "possibly pinkish," and what views did she express which led you to believe that?

Mr. YAMINS. She expressed opinions about the Stuart case which was going on in Boston.

Mr. COHN. Stuart case, S-t-u-a-r-t? She thought he was innocent?

Mr. YAMINS. I am not sure.

Mr. COHN. Anything else that she said?

Mr. YAMINS. No, I don't think so.

The CHAIRMAN. Did you think she was a Communist sympathizer?

Mr. YAMINS. I don't think she is. She may have been in the '30s.

Mr. COHN. When did she talk about the Stuart case? That didn't take place in the '30s.

Mr. YAMINS. At the present time, recently.

Mr. COHN. Well, now, does that jibe with your statement that she was in the '30s but isn't now? This Stuart case is a pretty recent matter.

Mr. YAMINS. Yes, it is.

Mr. COHN. Well, then, probably you aren't justified in thinking she has changed colors, then.

The CHAIRMAN. You said you thought she was perhaps a Communist sympathizer in the early '30s, but not today. What leads you to arrive at that conclusion?

Mr. YAMINS. I really can't answer that. I would say this: that in the '30s she was in favor of things that the Communists might have been supporting, and I went to meetings of the League for Peace and Democracy—

Mr. COHN. Pardon me.

Mr. YAMINS. Meetings of the League for Peace and Democracy with her.

Mr. COHN. With her?

Mr. YAMINS. Yes, with her, and I would say she was a leftist.

Mr. COHN. She took you to meetings of the American League for Peace and Democracy, is that right?

Mr. YAMINS. I went with her, and I don't know that she took me.

Mr. COHN. Did you attend any other meetings with her besides meetings of the American League for Peace and Democracy?

Mr. YAMINS. I went to dances of the IWO which she was physician for.

Mr. COHN. Didn't you know they were very active Communist fronts?

Mr. YAMINS. Not at that time. I found it out later.

Mr. COHN. You found it out later.

The CHAIRMAN. When you knew her in the '30s, you and she used to discuss Communists, and she was for everything the Communists stood for, is that not correct? I am speaking of the '30s.

Mr. YAMINS. May I consult my counsel?

[The witness conferred with his counsel.]

Mr. YAMINS. I think that is possibly——

Mr. RAND. I would like to confer with my client, and let me ask you this: Are you a little nervous and scared? Now, speak up perfectly clear and tell them that you lived for, I think, four years in the Udin house, and how it came about. What they want to know is how she talked and what she talked about. Just forget where you are, and just talk as freely to Senator McCarthy and the counsel as you talked with me yesterday. You satisfied me, and now satisfy them. Just go to it, and unpack your whole suitcase, and don't be scared.

The CHAIRMAN. You needn't be worried about us at all. All we want is the facts.

Mr. RAND. Just tell all you have got, how you told me yesterday.

The CHAIRMAN. We want some information about some people, and you have the information.

Mr. YAMINS. I think that that is true, and we probably did speak about it. At the time it was in the middle of the Depression, and jobs were hard to get, and my connections were particularly with respect to improving living conditions and jobs and things of that sort.

Mr. RAND. Tell them this: Didn't you live at the Udin house from 1934 to 1938?

Mr. YAMINS. I lived in Dr. Udin's house from the summer of 1934 to the summer of 1938.

Mr. COHN. You knew she was a Communist, did you not?

Mr. YAMINS. No, sir, I did not.

Mr. COHN. What other meetings did you attend with her besides the American League for Peace and Democracy and IWO dances?

Mr. YAMINS. That is all.

Mr. COHN. Those were the only meetings you ever attended?

Mr. YAMINS. With her.

Mr. COHN. Did she have any friends whom you knew to be Communists?

Mr. YAMINS. No.

Mr. COHN. You continued your relationship with her throughout the years?

Mr. YAMINS. When I left her house in 1938, I went home, and I went back to school for a year; and then I went down to Newark, New Jersey, for a year, and then I went with the Signal Corps. I saw her occasionally during that time.

Mr. COHN. Have you seen her during recent years?

Mr. YAMINS. Yes, sir, I have.

Mr. COHN. Let me ask you about some matters outside of these letters of charges. Have you ever been suspended or reprimanded for any security violations while working for the Evans Signal Laboratory?

Mr. YAMINS. Yes, sir.

Mr. COHN. You have?

Mr. YAMINS. Yes, sir.

Mr. COHN. For what? Did they concern your handling of classified documents?

Mr. YAMINS. They did.

Mr. COHN. What were they?

Mr. YAMINS. I think it was in connection with classified cabinet safe.

Mr. COHN. Was that safe found open?

Mr. YAMINS. Yes. And it wasn't that the dial was open. It was one of the drawers, I believe, was open.

Mr. COHN. Was that the only occasion?

Mr. YAMINS. I believe there was another occasion in which a briefcase containing classified material was found on the desk or in the room.

Mr. COHN. Now, let me ask you this before I forget: Are you any relation to a man named J. L. Yamins?

Mr. YAMINS. He is my brother.

Mr. COHN. He lives in Fall River, Massachusetts?

Mr. YAMINS. He lives in Freeport, Rhode Island.

Mr. COHN. When did he move to Freeport?

Mr. YAMINS. A few years ago.

Mr. COHN. A few years ago?

Mr. YAMINS. Yes, sir. He was in Elizabeth before that.

Mr. COHN. Is your brother a Communist?

Mr. YAMINS. No, sir.

Mr. COHN. Has he ever belonged to the Communist party?

Mr. YAMINS. No, sir.

Mr. COHN. Has he ever been sympathetic toward communism?

Mr. YAMINS. No, sir.

Mr. COHN. Has he been anti-Communist?

Mr. YAMINS. Yes. I don't think I ever talked to him much about it.

Mr. COHN. How do you know that he is not a Communist?

Mr. YAMINS. Well, I have never seen any evidence of it.

Mr. COHN. You have not discussed things of that kind with him, is that right?

Mr. YAMINS. That is right.

The CHAIRMAN. Let me suggest, just for the witness' protection—and I hesitate to do this, with one of the outstanding lawyers in Boston—but I would suggest that when counsel asks you whether your brother is a Communist, that you certainly are not in a position to know, and so instead of saying positively, "No, he is not," and leaving yourself open for possible perjury, that you just tell counsel that you have no information to indicate that he is, to your knowledge.

Am I right, Mr. Counsel?

Mr. RAND. Have you any information to indicate that your brother is a Communist?

Mr. YAMINS. I have no information to indicate that he is a Communist.

The CHAIRMAN. When you say he is not a Communist, you mean that you do not know he is a Communist and you have no information that he is?

Mr. YAMINS. That is right.

The CHAIRMAN. Now, Mr. Yamins, you were Mr. Coleman's superior officer, is that right?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Were you his superior officer in 1946 when the army security raided his apartment and found some forty-three classified documents in his apartment?

Mr. YAMINS. I remember there was an incident, and I don't know what they found.

The CHAIRMAN. Mr. Coleman testified this forenoon that he had received a pass on each occasion he removed a classified document, some of them secret, and that that pass was signed by him, and I do not recall if he used your name or not, but he described your job as the man who signed the pass also. I am very curious to know whether or not you did actually give Mr. Coleman a pass to take secret material from the Signal Corps and take it back to his apartment?

Mr. YAMINS. I can't tell you; I don't know. It is my recollection that we used to sign such passes.

The CHAIRMAN. Would you say that it was the common practice to allow employees to remove secret and top secret material from the Signal Corps Lab and take it home with them?

Mr. YAMINS. I think secret and not top secret.

The CHAIRMAN. You say it was a common practice?

Mr. YAMINS. Yes, sir, during the war. I think after the war things tightened up considerably.

The CHAIRMAN. He was testifying to a period in 1946, and he testified that he came back from the Marine Corps in January of 1946, and his apartment was searched by the army security officers in October, I believe it was. They found forty-three classified documents, and he said they were stamped secret, confidential, and on down the line. He testified that that was common practice for employees to get a pass to take that type of material away, that is, after the war. My question is, is that accurate?

Mr. YAMINS. I think it was a practice to allow them to take them out and to bring them back with them.

The CHAIRMAN. Well, now, when a pass was issued, did you keep any master logbook to show what documents Coleman or some other employee took out, and what date they returned them?

Mr. YAMINS. I do not think so.

The CHAIRMAN. You do not think that you did?

Mr. YAMINS. No, sir. I think duplicates of this were kept somewhere.

The CHAIRMAN. You were in charge of this, and this was an extremely important matter. I am just curious to know, and forget you are being examined here. Will you just realize we are trying to get some information, and forget you are on the witness stand, and just follow the advice of your lawyer?

Mr. YAMINS. I will, sir.

The CHAIRMAN. Here is the secretary of the army, and he is interested in knowing what kind of a practice you had there. We all realize that maybe practices at that time were lax during the war and immediately after that, but we have got to trace that down to date and see what is going on. You see, we have information—just to show you how important this is—we have information, con-

vincing information, that top secret documents from the Evans Laboratory have been in use over in East Berlin in the Russian laboratories, and we have the number of the documents, and we are trying to check those out. They are documents concerning our radar screen, and materials that could result in the deaths of vast numbers of American young men.

Mr. YAMINS. I understand.

The CHAIRMAN. The fact that you are here does not mean that we think you are a criminal or anything. We just have you here to get information from you.

Mr. YAMINS. I will try to tell you the best I can.

The CHAIRMAN. We have your subordinate's testimony, and we want to get information from you.

Now, the question is this: Just how was this pass system worked? If Coleman or John Jones or Pete Smith wanted to take out a top secret or secret document—

Mr. YAMINS. No top secret, as far as I know.

The CHAIRMAN. Well, let us say secret. I think his testimony did not concern top secret. It concerned secret and confidential.

Mr. YAMINS. Yes, sir.

The CHAIRMAN. How would that be worked? Let us take one document and trace it through. Coleman wants to take it home with him, and what happens from that point on?

Mr. YAMINS. I think that there was some sort of system of duplicate forms that were written and filled out in triplicate, something of that kind, on which the title and the person who borrowed it and perhaps an address, and the date and this was okayed by the branch chief or by somebody designated by him.

The CHAIRMAN. Were you the branch chief at that time?

Mr. YAMINS. I believe I was.

The CHAIRMAN. Do you know whether or not you did repeatedly sign these passes allowing employees to take secret material home?

Mr. YAMINS. I think that I did, and I probably did.

The CHAIRMAN. I wish you would elaborate. To me that sounds inconceivable. The definition of "secret" is that it is material of such a nature that if a potential enemy obtained possession of it, it could do irreparable damage to this country and result in our losing battles and the war. The rules covering the handling of secret material are so very strict—I was in the Marine Corps, and we just would not let a secret document out of our hands. It had to be either locked up in a safe, and we had guards around the safe, or if it was destroyed you had to have a certificate of destruction. I know of nothing in army regulations—and we were operating under army regulations—which allows you to let employees, hit-or-miss, take stuff home to their apartments and keep it there.

I am curious to know, and I am not saying you are responsible for it. I am curious to know who the devil was responsible for it.

Mr. YAMINS. During the war it was done without any check, and I did that myself.

The CHAIRMAN. Was that not a complete violation of army regulations?

Let me ask you, what are the regulations concerning the handling of secret materials, as of today?

Mr. YAMINS. I think as of today they are supposed to be kept under a continuous receipt system, stored under a three-combination lock, and I don't know what the regulations are on who is allowed to carry them. I know that at the laboratory, regulations tightened up gradually after the war to a point where civilians were not allowed to take them out, and were encouraged to mail them to where they were going; but on occasions, sometimes they had to, going to meetings where they couldn't be mailed on time.

The CHAIRMAN. How about this practice of allowing a man to take secret documents home to his apartment? Is that indulged in at the present time?

Mr. YAMINS. I don't believe it is at all.

The CHAIRMAN. You should know. You are the man who signs the pass, are you not?

Mr. YAMINS. I haven't done this very recently.

The CHAIRMAN. What was your job when you were suspended?

Mr. YAMINS. I was chief of the branch at that time, yes, sir.

The CHAIRMAN. You were suspended how long ago?

Mr. YAMINS. September 23.

The CHAIRMAN. That is only about a month ago.

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Now, the question is: The week before you were suspended, we will say, at that time it would be your task to sign these passes, and it is your job to know whether or not secret material is taken out.

Mr. YAMINS. I didn't have that job at that time. I have been up at MIT for the past two years.

The CHAIRMAN. I beg your pardon. How would you describe your job now?

Mr. YAMINS. It is essentially a liaison job.

The CHAIRMAN. At MIT?

Mr. YAMINS. Yes, with other agencies in the Boston area.

The CHAIRMAN. So that for the past two years, your function has not been to sign passes and to give permission to take out secret documents?

Mr. YAMINS. Not whatever, not since May of 1951.

The CHAIRMAN. At the time Coleman was found to have these classified documents in his possession—some of them, incidentally, from his stretch in the Marine Corps. He said about ten of them were secret or classified documents concerning radar which he picked up in the Marine Corps when he was a radar specialist there. When the army security officers picked up this classified material, I assume it was your task to determine whether or not he would be fired or suspended, or what punishment he would get; is that right? You were his boss.

Mr. YAMINS. I think the director of the laboratory did that.

The CHAIRMAN. Did you not make the recommendation, and was it not your job at the time to make the recommendation?

Mr. YAMINS. I don't know.

The CHAIRMAN. My God, man, this is an important matter when you find a man with forty-three classified documents, some of them secret and some of them confidential, in his apartment, and his roommate was fired because of Communist activities, and that roommate was living with him and had access to this secret mate-

rial. Army security officers received a tip that he was stealing it, and they went over to his apartment and they searched it, and they picked it up. You are his boss, and I am just curious to know what your attitude was, and what happened then.

Mr. YAMINS. I didn't know he was stealing it, and may I tell you my impression of what happened at that to me?

The CHAIRMAN. Yes.

Mr. YAMINS. My impression was that those documents that were found there—and I don't know how many there were—were documents on old radars that should have been downgraded a long time ago, and it was stuff that had been out in print. This thing was handled pretty much by the director, and possibly the security people, and I had no knowledge of what he had or what was in his room or what they found.

The CHAIRMAN. Well, did you approve of this practice of allowing employees to take secret material home?

Mr. YAMINS. During the war it was the only way of doing it.

The CHAIRMAN. After the war, in 1946, did you approve of the practice?

Mr. YAMINS. Well, I dropped it myself, and didn't do it.

The CHAIRMAN. You were doing it in 1946 and you approved of it at that time?

Mr. YAMINS. I would say up until then; and after then, no.

The CHAIRMAN. Well, what I am curious about is this: If you have those strict security regulations, and in 1946 the security regulations did not give you the right to sign out secret material, and if you signed it out to a man to take home to his apartment, before you would do that you would say, "Who do you room with, and is he a Communist, and what kind of a lock do you have on the apartment when you leave there and you leave that material in your apartment?"

Mr. YAMINS. I think it was assumed that he would keep it with him.

The CHAIRMAN. Then see if I have this right: that it is your testimony—and that is Coleman's testimony, too—that the Signal Corps just indiscriminately, in 1946, allowed any employee to sign out secret material and take it home with him. You had no check on who he was living with, where he kept it, whether it was safe or anything?

Mr. YAMINS. I don't like your use of the word "any" employee, and I would say with key employees who had responsible positions, probably.

The CHAIRMAN. Any employee working with classified material, is that correct, any employee working with classified material was allowed to take it home with him? Is that correct? If it is not, tell me. I am trying to get the facts.

Mr. YAMINS. I would say this: If he were responsible, a section head or a responsible project head, yes. I would not think any mechanic who happened to be working on a classified job, or—

The CHAIRMAN. How many people in your section or department would have the right to sign out secret material and take it home to his apartment?

Mr. YAMINS. Possibly the five or six section heads, and I don't know how many there were, and possibly in each section perhaps three project engineers.

The CHAIRMAN. Is it not a fact that anyone who had clearance to handle secret material——

Mr. YAMINS. No.

The CHAIRMAN. Wait a second, and let us see if this is correct or not.

Is it a fact that anyone who had clearance to handle secret material also was allowed to take that secret material home with him? Was that not the way you made the decision? If a man did have secret clearance to handle secret material, then you figured he had clearance to take that home with him?

Mr. YAMINS. We may have figured that that was a clearance, but we didn't extend that to everybody who had that clearance, and my impression is that everybody who was in the laboratory had secret clearance, practically everybody.

The CHAIRMAN. Did you ever refuse to sign a pass for anyone who had secret clearance, a pass which gave them the right to take secret material home? Did you ever refuse?

Mr. YAMINS. I can't recall at the moment.

The CHAIRMAN. And you know that people in the laboratory day after day after day took secret material home, just for their own purpose of study?

Mr. YAMINS. When was this, sir?

The CHAIRMAN. You tell me when it was.

Mr. YAMINS. During the war.

The CHAIRMAN. During the war?

Mr. YAMINS. Definitely.

The CHAIRMAN. How about the first year after the war?

Mr. YAMINS. Possibly towards the beginning; we began to tighten up, and I don't know the exact dates, sir.

The CHAIRMAN. I wish you would just forget that you are on the stand here, and try and give us this information.

Mr. YAMINS. All right. Things gradually tightened up.

The CHAIRMAN. Who tightened them up, and who decided that it was wrong to let them take secret material home, and was there an order from someplace topside, and did you issue the order?

Mr. YAMINS. It was from topside.

The CHAIRMAN. From whom?

Mr. YAMINS. From the commanding officer, and possibly the director.

The CHAIRMAN. Did the time ever come when there was an order issued saying that no one could take secret material home with them?

Mr. YAMINS. I never saw any such order.

The CHAIRMAN. Did the time ever come that there was an order issued saying that only certain people could take secret material home with them?

Mr. YAMINS. I believe that was so.

The CHAIRMAN. Could you search your mind?

Mr. YAMINS. The pass system only lasted a little while, and I am not positive about that. Cards were issued after that.

The CHAIRMAN. Cards were issued?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Allowing them to take secret material home?

Mr. YAMINS. Anywhere.

The CHAIRMAN. I do not care whether it is a pass or a card, I want to know if and when the time came that you or someone said, "No longer will people take secret material to their apartments and their homes"? If you know, tell me. And if you do not know, just tell me.

Mr. YAMINS. Well, at Evans, for example, everybody was told not to even take it to meetings, so I assume they weren't to take it home.

The CHAIRMAN. I may say, for your benefit, that the reports we have gotten from Eastern Berlin is that they had access to everything in the Evans Laboratory, and we are trying to find out how they got it. We are beginning to get the picture now, when we find that people could freely take things to their apartments and to their homes. We find now that instead of having secret material locked up in a safe with a guard there, all you needed to do was, as Coleman said, "I signed the pass myself, and the chief of my section signed it also, and I could take it home."

Now, I am asking you, did the time come while you were over there in the Laboratory when someone said, "There will be no more signing out of this material to people's homes"?

Mr. YAMINS. I don't think so, not in those terms. I think it was the exception that this was done. This was not done as a regular thing. The total number of these was very small.

The CHAIRMAN. Now, when was the last time that you had been in a position to sign these cards or passes?

Mr. YAMINS. The last time I would have been in a position to do this, I left the radar branch in 1947, and I went to headquarters, and it seems to me there the individuals, most of them had passes of their own, and then after that I went back to the meteorological branch in 1949.

The CHAIRMAN. You said they had passes of their own. Did those passes allow them to take secret material out with them?

Mr. YAMINS. I beg pardon?

The CHAIRMAN. You said they had passes of their own.

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Did those passes allow them to take secret material out of there?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. In other words, people who had secret clearance had passes?

Mr. YAMINS. These were key individuals at headquarters level.

The CHAIRMAN. About how many of those individuals were there?

Mr. YAMINS. I don't know. I would say something on the order of fifteen, and that is a pretty round guess.

The CHAIRMAN. That is in the entire Evans Laboratory?

Mr. YAMINS. No, this is at the headquarters at Fort Monmouth.

The CHAIRMAN. How many people were in the headquarters, all told?

Mr. YAMINS. I don't know; twenty-five, maybe more.

The CHAIRMAN. So that over half of the people in the department had a pass?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. How did that differ from the pass that the other people in the headquarters had to have?

Mr. YAMINS. The others didn't have them.

The CHAIRMAN. Did they not have passes for getting in and out of the place?

Mr. YAMINS. They had a badge.

The CHAIRMAN. A badge?

Mr. YAMINS. Yes, sir, and an identification card.

The CHAIRMAN. This pass that the others had, what did that cover?

Mr. YAMINS. I am sorry. There was a separate pass, that is right.

The CHAIRMAN. What was on that pass? Was there something on it that said that you can take secret documents out of the plant?

Mr. YAMINS. I think it was something of the sort; the Form 968 sticks in my mind, but I am not sure it is right.

The CHAIRMAN. Is it correct that anyone who had a pass giving them clearance to secret and top secret material could take material out and the guards would not bother them? Is that not actually the situation?

Mr. YAMINS. Will you repeat that again?

The CHAIRMAN. Is it not a fact that the people who had these passes had complete freedom of action, and they could take secret material out and they could bring it back in when they cared to?

Mr. YAMINS. That is quite right, that had these special passes.

The CHAIRMAN. Now, if there were fifteen in the headquarters, how many would you estimate there were in the entire Evans Laboratory?

Mr. YAMINS. This was not at Evans, and I wouldn't know. You are asking me for data I don't know.

The CHAIRMAN. If you do not know, just say you do not know.

Mr. YAMINS. I don't know, Senator.

The CHAIRMAN. You said headquarters—

Mr. YAMINS. They are just guesses, and I had no control over the total number.

The CHAIRMAN. But see if this is correct, as far as you know: At one time, in order to remove secret material you had to have a special pass signed by the head of the section or the division, whatever you would call it, and there came a time when that practice was done away with and people received passes showing they had clearance to handle secret and top secret material?

Mr. YAMINS. Secret.

The CHAIRMAN. Did not some have passes to show that they could handle top secret material?

Mr. YAMINS. I know very little about top secret material. My impression is that top secret material was stored separately, and only relatively few people had access to it, and this was only on special occasions for special jobs. It was all registered and there was a special top secret officer.

The CHAIRMAN. Would you have any idea how many people had the type of pass which you described in the Evans Laboratory?

Mr. YAMINS. At what time, sir?

The CHAIRMAN. Pick any time. Let us say 1949.

Mr. YAMINS. I don't know, because when I went back there in 1949, I went to the meteorological branch, which was not primarily concerned with classified material.

The CHAIRMAN. As of today, as of the 22nd of September, that is, the day before you were suspended, you had access to secret material, did you?

Mr. YAMINS. Yes, sir, I did.

The CHAIRMAN. How about top secret?

Mr. YAMINS. I had top secret clearance, but I don't know what that meant as far—

The CHAIRMAN. What kind of a pass did you have?

Mr. YAMINS. I had a pass that said I could take secret material out.

The CHAIRMAN. And that pass allowed you to take secret material out of the building and out of the safe and take it home with you?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. When was the last time that you took secret material home with you?

Mr. YAMINS. The last time I took it home—this was not to take it home. It was to take it down to a meeting in Washington.

The CHAIRMAN. The last time you took it home.

Mr. YAMINS. I would say back in 1946.

The CHAIRMAN. But on the 22nd of September 1953, if you had wanted to, you could have gone to the safe and taken as much secret material home as you cared to, and that would have been no violation as far as you know?

Mr. YAMINS. I think that is quite right. Certainly it wasn't in the spirit of things, and I certainly didn't do it and wouldn't do it.

The CHAIRMAN. I am not asking you whether you did.

Mr. YAMINS. I could have done it, yes, sir.

The CHAIRMAN. And with the pass you had, no guard would have bothered you?

Mr. YAMINS. This is down at Fort Monmouth you are talking about?

The CHAIRMAN. Any place that you worked.

Mr. YAMINS. Well, at MIT there are only two of us in our Signal Corps office, and of course the guards were not military guards, they are MIT guards.

The CHAIRMAN. There was nothing to prevent your taking the secret material and taking it home?

Mr. YAMINS. That is quite right.

The CHAIRMAN. Is this substantially true: that during the war there was practically no check whatsoever on secret material there, and anyone in the plant could take the stuff in and take it out and bring it back in?

Mr. YAMINS. I would say essentially so, during parts of it, and I don't know when the system started. This was done, and I did it myself. This was a time we were working, just before the war, sixteen hours a day and seven days a week, trying to get this radar stuff going.

The CHAIRMAN. If a classification means anything at all, then the classification must be respected. I will agree that many times you had overly eager individuals who classified things far too highly,

and they would take something which should not be classified at all or classified restricted, and they would stamp it top secret or secret. But the answer is not to disregard the classification, but it is to get rid of those who improperly classify things.

I have nothing further.

Mr. SCHINE. I have two things.

Mr. YAMINS. Do any of the members of your family work for the government?

Mr. YAMINS. Outside of myself, no, sir.

The CHAIRMAN. That is brothers and sisters, and sons and daughters, and sisters-in-law and brothers-in-law.

Mr. YAMINS. None of them.

Mr. SCHINE. Are any members of your family connected with any subversive organizations, or have they ever been connected with any subversive organizations?

Mr. YAMINS. My immediate family, no.

Mr. SCHINE. Cousins, uncles, aunts, or any relatives?

Mr. YAMINS. Except through marriage.

Mr. SCHINE. Will you tell us about that connection, please?

Mr. YAMINS. Yes, I will. Dr. Udin, of course.

Mr. SCHINE. Will you spell that?

Mr. YAMINS. Dr. Udin, U-d-i-n, was first for the IWO. I believe she is not connected now, and I don't know. This organization was on the list.

Mr. SCHINE. What was the relationship?

Mr. YAMINS. She was physician for this organization.

Mr. SCHINE. How about the relationship with your family? Through marriage?

Mr. YAMINS. My wife has cousins on two sides, and one side of the family married into the Chase family in New Hampshire, who are supposedly Communist.

Mr. SCHINE. Is Dr. Udin a Communist?

Mr. YAMINS. I don't think she is.

The CHAIRMAN. Could I see the letters of charges again, please? [Documents handed to the Chairman.]

Mr. SCHINE. You say that the Chase family are supposedly Communists?

Mr. YAMINS. I have read in the paper they are.

Mr. SCHINE. Where do they reside?

Mr. YAMINS. I believe it is in Hillsboro, New Hampshire.

Mr. SCHINE. And when you say the "Chase family," who do you mean?

Mr. YAMINS. I think particularly it is Elba Chase.

Mr. COHN. Is that Elba Chase Nelson?

Mr. SCHINE. She is a cousin of your wife?

Mr. YAMINS. No. Her daughter married a cousin of my wife's.

Mr. COHN. Do you know Elba Chase Nelson?

Mr. YAMINS. I have seen her.

Mr. COHN. Where have you seen her?

Mr. YAMINS. Up on her farm.

Mr. COHN. When were you there?

Mr. YAMINS. In 1936.

Mr. COHN. Have you seen her since that time?

Mr. YAMINS. And in 1937, I was there once. I haven't since then.

Mr. COHN. Did you not know she was a Communist party organizer?

Mr. YAMINS. At that time, I did not.

Mr. COHN. When did you find that out?

Mr. YAMINS. Reading it in the papers.

Mr. COHN. When was that?

Mr. YAMINS. I don't know. There were some articles recently.

The CHAIRMAN. Let me ask you this question: Obviously you have no control over who marries your cousins, and you are not responsible for it.

Mr. YAMINS. Quite right.

The CHAIRMAN. But let me ask you this: When did you first visit her farm?

Mr. YAMINS. I think it was in 1936.

The CHAIRMAN. How long did you stay there, how many days or how many hours?

Mr. YAMINS. I think that I stayed overnight at Nelson's cabin. They had rooms.

The CHAIRMAN. And then you visited her farm again in 1937?

Mr. YAMINS. I went up again one day with Dr. Udin, and I think that I had dinner there, and I think that that is all.

The CHAIRMAN. Was your wife along with you?

Mr. YAMINS. I believe she was. I am not sure about that.

The CHAIRMAN. At that time, it was public knowledge, was it not, Roy, in 1937, that this woman was a top Communist organizer?

Mr. COHN. She is an open Communist, and always has been.

The CHAIRMAN. We are discussing someone, you understand, who is not a secret or undercover Communist, but a person who admits and brags about their importance in the Communist movement.

Mr. COHN. She was section organizer in New England in 1936 and 1937 and 1938.

The CHAIRMAN. Did you know when you went up and stayed at the farm that she was a Communist?

Mr. YAMINS. I think that I knew she was a Communist sympathizer.

The CHAIRMAN. You knew that Dr. Udin was also a Communist sympathizer?

Mr. YAMINS. I think she might have been.

The CHAIRMAN. You said Miss Chase was a Communist sympathizer, and did you not know she was an organizer for the Communist party, and well known as such? She was not a sympathizer, but an organizer. Did you know that?

Mr. YAMINS. I didn't know that.

The CHAIRMAN. Where were you working at that time?

Mr. YAMINS. At Ratheon Company.

The CHAIRMAN. Actually, did you not see Miss Chase in the '40s, also?

Mr. YAMINS. I beg your pardon?

The CHAIRMAN. Did you not see her during the 1940s, also, that is, Elba Chase, or Elba Chase Nelson, the woman at whose farm you visited in 1936 and 1937? Did you not actually see her a number of times in the '40s?

Mr. YAMINS. No, sir.

The CHAIRMAN. You are sure of that?

Mr. YAMINS. Quite sure.

The CHAIRMAN. You say you are quite sure?

Mr. YAMINS. Well, I went up once to Dr. Udin's cottage she had on Mellon Pond. She rented a pond, and I thought that was in 1939.

Mr. COHN. Was Elba Chase Nelson there?

Mr. YAMINS. I don't think so.

Mr. COHN. Did you ever see Dr. Udin and Elba Chase Nelson together?

Mr. YAMINS. Yes, sir.

Mr. COHN. They were good friends, weren't they?

Mr. YAMINS. They were friends through the family, yes, sir.

The CHAIRMAN. In 1945, to be specific, in November of 1945, did you not have a visit with Elba Chase Nelson?

Mr. YAMINS. No, I don't think so. In November?

The CHAIRMAN. Yes. Just a minute, I beg your pardon. November of 1946, and not 1945.

Mr. YAMINS. No.

The CHAIRMAN. Was the answer "no"?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Are you sure of that?

Mr. YAMINS. Quite sure. Where was this? Where was I supposed to have been?

The CHAIRMAN. I am asking you. Did you ever see her since 1945, since January 1, 1945?

Mr. YAMINS. No, sir.

The CHAIRMAN. The answer is "no"?

Mr. YAMINS. The answer is "no."

The CHAIRMAN. Did you ever talk to her over the telephone?

Mr. YAMINS. No.

The CHAIRMAN. I beg your pardon?

Mr. YAMINS. No.

The CHAIRMAN. You are sure of that?

Mr. YAMINS. I am quite sure.

The CHAIRMAN. You must have known Elba Chase Nelson rather well to have gone up and stayed at her farm.

Mr. YAMINS. I didn't know her well. I just went up there as a vacation.

The CHAIRMAN. I think you have already testified to this, but when did you start to work in the Signal Corps?

Mr. YAMINS. August of 1940.

The CHAIRMAN. And did you work in the government before that?

Mr. YAMINS. No, sir, I did not.

The CHAIRMAN. Who got you your job with the Signal Corps in 1940?

Mr. YAMINS. Through Civil Service.

The CHAIRMAN. How old were you then?

Mr. YAMINS. Thirty.

The CHAIRMAN. And who recommended you for the job?

Mr. YAMINS. It was through Civil Service, sir.

The CHAIRMAN. You just applied?

Mr. YAMINS. I applied through Civil Service and received a rating and received the job.

The CHAIRMAN. Who were your—

Mr. YAMINS. The letter was signed by Captain J. D. O'Connell.
The CHAIRMAN. Normally you give certain people as references, and do you recall who you used?

Mr. YAMINS. No, I can't.

The CHAIRMAN. Were you a graduate engineer at that time?

Mr. YAMINS. Yes, sir, I was.

The CHAIRMAN. How did you happen to get into the Signal Corps? Did you apply for that?

Mr. YAMINS. I just applied to Civil Service, sir, and it was a general Civil Service examination. I received offers of several places.

The CHAIRMAN. You were within draft age at that time, and did you get a deferment?

Mr. YAMINS. Yes, sir, I did.

The CHAIRMAN. On the ground you were doing important work?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. Were you married then?

Mr. YAMINS. I married shortly after, I guess one year after.

The CHAIRMAN. What year did you get married?

Mr. YAMINS. November of 1941.

The CHAIRMAN. To your knowledge, did your wife ever attend any Communist party meetings?

Mr. YAMINS. No, sir.

The CHAIRMAN. Did you discuss communism or your work with Elba Chase Nelson?

Mr. YAMINS. I beg your pardon?

The CHAIRMAN. Did you discuss communism with Nelson when you were up at her farm?

Mr. YAMINS. No.

The CHAIRMAN. Not at all?

Mr. YAMINS. No.

The CHAIRMAN. Did anyone ever solicit you to join the party?

Mr. YAMINS. Yes, I believe so.

The CHAIRMAN. Who solicited you to join the party?

Mr. YAMINS. Pauline Levinson.

The CHAIRMAN. What kind of work is she doing now?

Mr. YAMINS. I don't know what she was doing.

The CHAIRMAN. How well did you know her?

Mr. YAMINS. I knew her very casually, and she was a friend of a friend of mine.

The CHAIRMAN. When did you first meet her? Is that the same—

Mr. YAMINS. Yes, it is. She was at school when I was there.

The CHAIRMAN. Is her name still Levinson, do you know?

Mr. YAMINS. I don't know.

The CHAIRMAN. When did you last see her?

Mr. YAMINS. At that time, 1937.

The CHAIRMAN. Do you know Elba Chase Nelson's son? Do you know her son?

Mr. YAMINS. I believe she has several sons.

The CHAIRMAN. Did you ever talk to them?

Mr. YAMINS. Just casually.

The CHAIRMAN. Did you know that one is and was an extremely important functionary of the Communist party?

Mr. YAMINS. No.

The CHAIRMAN. Was he at the farm at the time you were there?

Mr. YAMINS. I don't know. There were several of them there.

The CHAIRMAN. When did you last see him?

Mr. YAMINS. I beg pardon?

The CHAIRMAN. When did you last see any of the sons?

Mr. YAMINS. Well, at the time I was there.

The CHAIRMAN. When did you last see Levinson?

Mr. YAMINS. In 1937.

The CHAIRMAN. I have nothing further.

Mr. YAMINS. I would like to clear up one point.

Mr. SCHINE. Will you answer this question, please: Will you give us the names of the individuals who were at the farmhouse when you visited there?

Mr. YAMINS. Dr. Udin, Albert Udin, I think—he is the father of the daughter who married into the Chase family—and Harry Udin, a son, my wife, her mother, and there were a lot of other people I don't know.

Mr. SCHINE. Now about how many Communists would you say were there?

Mr. YAMINS. I don't know.

Mr. SCHINE. Try and think, because it is important that we know.

Mr. YAMINS. I don't know.

Mr. SCHINE. All right. Now, Mr. Yamins, would you please give us the names of any Communists that you are acquainted with in MIT or in Boston or anywhere else?

Mr. YAMINS. I don't know that these people are Communists, except from what I have read in the newspapers.

Mr. SCHINE. Will you give us their names, please?

Mr. YAMINS. I know Dr. Furry, and I took a course under him.

Mr. SCHINE. How do you spell that?

Mr. YAMINS. F-u-r-r-y.

Mr. SCHINE. And where is he teaching?

Mr. YAMINS. Harvard University, Physics Department, and I know Lawrence Arguimbau.

Mr. SCHINE. Would you spell that?

Mr. YAMINS. A-r-g-u-i-m-b-a-u.

Mr. SCHINE. Where is Mr. Arguimbau located?

Mr. YAMINS. MIT.

Mr. SCHINE. What is his function there?

Mr. YAMINS. He is a professor of electrical engineering.

Mr. SCHINE. Will you give us the other names?

Mr. YAMINS. I don't know that these are Communists, it is from what I read in the papers. I knew Levinson at school very casually.

Mr. SCHINE. That is L-e-v-i-n-s-o-n?

Mr. YAMINS. Norman Levinson.

Mr. SCHINE. Where is he located now?

Mr. YAMINS. I think he is at MIT, and I don't know, I haven't had any contact with him.

Mr. SCHINE. Will you continue to give us the names? Give us all of them, please.

Mr. YAMINS. Excuse me a moment.

[The witness consulted his counsel.]

Mr. YAMINS. Marcel Ullmann, if he is.

Mr. SCHINE. Yes.

Mr. YAMINS. The Chases, if you say that they are.

Mr. COHN. You know Elba Chase Nelson is a Communist?

Mr. YAMINS. Yes, that is quite right. I read that in the papers.

Mr. SCHINE. Proceed, please. Give us every name that you can, please.

Mr. YAMINS. Pauline Levinson, if she was.

Mr. SCHINE. Pauline Levinson?

Mr. YAMINS. Yes.

Mr. SCHINE. Are any of these individuals doing work for the government?

Mr. YAMINS. I think Arguimbau is working at the Research Laboratory of Electronics, at MIT, which has a government contract, unclassified.

Mr. SCHINE. Are there any others?

Mr. YAMINS. No, I don't think so.

The CHAIRMAN. There will be nothing further.

Mr. YAMINS. May I still clear up that point, Senator?

The CHAIRMAN. Yes.

Mr. YAMINS. The Civil Service examination I took was a general examination and it wasn't for any one specific place, and I had no idea where job offers would be.

The CHAIRMAN. I think you said your job as of September 22 was principally liaison with MIT and the Signal Corps, is that right?

Mr. YAMINS. And other agencies in the Boston area.

The CHAIRMAN. And your liaison concerns itself principally with classified work being done by MIT for the Signal Corps and other government agencies?

Mr. YAMINS. Not principally classified, I would say half of it was classified.

The CHAIRMAN. Half of it was classified?

Mr. YAMINS. Yes, sir.

The CHAIRMAN. And you are cleared for top secret but you say you have not seen top secret stuff yourself for how long?

Mr. YAMINS. I don't know that I ever have.

The CHAIRMAN. To your knowledge, do you personally know of anyone who has given classified material to anyone from any government agency, to any unauthorized person?

Mr. YAMINS. No, sir; I don't.

The CHAIRMAN. I think that I have asked you before, but did you ever join the Communist party?

Mr. YAMINS. No, sir; I did not.

The CHAIRMAN. You were solicited at one time by Pauline Levinson, and you refused to join?

Mr. YAMINS. That is right.

The CHAIRMAN. And did you ever attend any meetings that you would consider Communist party meetings, and I don't mean closed meetings, but meetings principally attended by Communists?

Mr. YAMINS. No, sir.

The CHAIRMAN. To your knowledge was your wife ever a Communist?

Mr. YAMINS. Not to my knowledge.

The CHAIRMAN. Did she ever lead you to believe that she was either a Communist, or sympathetic to Communist causes?

Mr. YAMINS. No, sir.

The CHAIRMAN. You never engaged in any espionage of any kind?

Mr. YAMINS. No, sir; not at all.

The CHAIRMAN. You never gave classified material to any unauthorized personnel?

Mr. YAMINS. No, sir.

The CHAIRMAN. Have you kept classified material in your home or your apartment?

Mr. YAMINS. Kept it, sir?

The CHAIRMAN. Yes, have you taken any home?

Mr. YAMINS. Yes, I did.

The CHAIRMAN. And what is the longest time that you ever kept that in your home?

Mr. YAMINS. Overnight.

The CHAIRMAN. Overnight?

Mr. YAMINS. Yes, sir; and weekends.

The CHAIRMAN. Was that for the purpose of taking it there en route to some other destination, or to take it there to study it?

Mr. YAMINS. Both.

The CHAIRMAN. About how often would you say you took secret material home?

Mr. YAMINS. I would say since about 1946, or 1947, I haven't done it at all, except to go to a destination.

The CHAIRMAN. We have no further questions, and you will consider yourself under subpoena in case we want you back.

May I say that the press will not be given your name unless you give it to them. We have a rule of the committee that no one in this room gives out the name of any witness unless the witness himself wants to tell the press.

Now, if you meet members of the press and they ask you whether you testified, you can tell them yes, or you can tell them no, or you can tell them to go to the devil, or whatever you want to.

Some of the people who were suspended have given out their own names, and the Signal Corps has given out the names of their co-workers, but your name will not be given out by this committee. We give the press a resume of all testimony, without identifying the witnesses at all.

We will contact your counsel in case we want you back.

[Whereupon, at 4:00 p.m., the hearing was recessed until 7:00 p.m., of the same day.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—In September, the subcommittee staff received what appeared to be a letter from FBI Director J. Edgar Hoover to Gen. Alexander Bolling, chief of army intelligence, accusing thirty-five scientists, engineers and technicians at the Army Signal Corps facility at Fort Monmouth, New Jersey, of subversive activities. This evidence contributed to the decision to launch an investigation of employees at Fort Monmouth, although it later transpired that the original letter, dated 1951, had made no specific accusations of espionage or subversion, but had catalogued unsubstantiated allegations collected during FBI field examinations. The subcommittee also discovered an air force intelligence report about an East German defector who had seen microfilmed copies of documents that had originated at Fort Monmouth. The army considered the defector's testimony unreliable and concluded that the microfilmed documents were those that the U.S. had turned over to the Soviet government under Lend-Lease agreements during World War II. Soviet representatives had also been stationed openly at Fort Monmouth during the war and had official access to classified materials at that time.

In its annual report for 1953, the subcommittee commended Maj. Gen. Kirke B. Lawton (1894–1979), commanding general at Fort Monmouth, for having “assisted the investigation in every way possible without violating the Army's security provisions.” Gen. Lawton had exercised his discretion as commander to suspend suspected security risks and summarily remove forty-two Signal Corps employees. Later, during the Army-McCarthy hearings, Senator McCarthy accused the army of having blocked Gen. Lawton's promotion because of his cooperation with the subcommittee. On July 21, 1954, Gen. Lawton was ordered to Walter Reed Hospital for a medical evaluation. He retired from military service on medical disability on August 31, 1954.

None of the witnesses at the evening session on October 14, Harold Ducore, Jack Okun, or Gen. Lawton, testified in public session, although a portion of Gen. Lawton's testimony was read into the record in *Hearings Before the Special Senate Investigation on Charges and Countercharges Involving: Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel, and Senator Joe McCarthy, Roy M. Cohn, and Francis P. Carr*, (Washington, DC: Government Printing Office, 1954), part 43.]

WEDNESDAY, OCTOBER 14, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 7:40 p.m., pursuant to recess, in room 36 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel.

Present also: John Adams, counselor to the secretary of the Department of the Army.

The CHAIRMAN. We will proceed.

(2457)

**TESTIMONY OF HAROLD DUCORE (ACCOMPANIED BY HIS
COUNSEL, HARRY GREEN) (RESUMED)**

Mr. COHN. Mr. Ducore, we were going over your letter of charges. Now, have we covered all of them? Do you have a copy of that letter with you?

Mr. DUCORE. No.

Mr. COHN. Let us go over them.

Mr. DUCORE. The first was, I was a member of the UPW.

Mr. COHN. Were you a member of the UPW?

Mr. DUCORE. Yes, I was.

Mr. COHN. Did you know it was under Communist domination?

Mr. DUCORE. No, I certainly didn't.

Mr. COHN. When did you leave that union?

Mr. DUCORE. Sometime in 1947.

Mr. COHN. All right. Didn't you read in the newspapers prior to that time that it was charged with being Communist dominated?

Mr. DUCORE. No, sir.

Mr. COHN. You heard no discussion whatsoever about the fact it was a Communist union?

Mr. DUCORE. If I had known it was Communist dominated, I wouldn't have joined in the first place.

Mr. COHN. But having joined, when you were in there did you not hear the allegations it was Communist dominated?

Mr. DUCORE. No, sir, I don't remember anything like that.

Mr. COHN. You were a member in 1947?

Mr. DUCORE. Yes, sir.

Mr. COHN. Were you a member out in New Jersey?

Mr. DUCORE. In New Jersey, yes, in Fort Monmouth.

Mr. COHN. Was the head of the chapter a man named Marcel Ullmann?

Mr. DUCORE. At one time I think he was president.

Mr. COHN. Did you know Mr. Ullmann?

Mr. DUCORE. I know him from meeting him at the union.

Mr. COHN. Did you not know that he was a functionary of the Communist party?

Mr. DUCORE. I had no idea of that.

Mr. COHN. When did you find out?

Mr. DUCORE. I never actually found out. It was just a rumor that I heard after he had been suspended, that the reason for suspension was he was a Communist.

Mr. COHN. Did you know him socially at all?

Mr. DUCORE. No, sir.

Mr. COHN. You did not?

Mr. DUCORE. No, sir.

Mr. COHN. What were the other charges in the letter?

Mr. DUCORE. I was reported to have made a statement that the Russians know how to treat people, and this country was too liberal.

Mr. COHN. Did you?

Mr. DUCORE. I never did make such a statement.

Mr. COHN. Did you make any statement similar to that?

Mr. DUCORE. I couldn't have made any statement in favor of Russia, since I have no faith in the Communist party, the Communist form of government, or anything like that.

Mr. COHN. Have you ever had?

Mr. DUCORE. I never have had.

Mr. COHN. What were the other charges?

Mr. DUCORE. I was reported to have associated with Albert Sockel, who was a reported Communist.

Mr. COHN. Was that a fact?

Mr. DUCORE. Certainly not. I know Sockel from the union, and he worked down the hall from me, and he must have been there a couple of years, and I never had anything to do with him socially, and I had one business contact with him while he was in the laboratory.

Mr. COHN. And that was not the only association that you were charged with?

Mr. DUCORE. That was the only association with which I was charged.

Mr. COHN. What is that?

Mr. DUCORE. With my wife. These were the charges, and then they continued and said my wife had been a member of the union.

Mr. COHN. Had she?

Mr. DUCORE. Yes, she had.

Mr. COHN. Had she ever worked at the Signal Corps?

Mr. DUCORE. She was working at the Signal Corps Standards Agency at the time.

Mr. COHN. And when did she leave there?

Mr. DUCORE. I think August of 1947.

Mr. COHN. Now, what else concerning your wife?

Mr. DUCORE. That she had or it was reported that she had made pro-Communist statements.

Mr. COHN. Had she?

Mr. DUCORE. She had never made such statements, and she was not a Communist, a Communist sympathizer, and couldn't have been.

Mr. COHN. What else concerning your wife? Was there another question of association?

Mr. DUCORE. Association with a Louis Kaplan, who was also reported to be a Communist.

Mr. COHN. Did you not know Louis Kaplan yourself?

Mr. DUCORE. Yes, I knew Kaplan.

Mr. COHN. Did you not know that he was a functionary of the Communist party, and the organizer of the Shore Club of the Communist party?

Mr. DUCORE. I never had any such idea.

Mr. COHN. Didn't you know he was a Communist?

Mr. DUCORE. No.

The CHAIRMAN. One of the things that disturbed me yesterday about Mr. Kaplan's testimony is this: He refused to tell whether you were a member of the Communist party, and he said that if he told us the truth it might tend to incriminate him. We very carefully explained to him that he could not take advantage of that privilege unless he had some reason to believe you were a Communist; otherwise he would be in contempt of the committee and would be subject to the usual contempt proceedings.

I am not sure whether I asked you that question this morning or not, but I just wonder whether Kaplan is an enemy of yours, or

why he would refuse to answer whether he knew you were a Communist or not, on the ground that that testimony might incriminate him. If he had no knowledge of your being a Communist, he could have very frankly said no. When he refused to testify, he left himself wide open to a contempt proceeding. I just wonder if you could shed some light on that.

Mr. DUCORE. As I said before, I knew Kaplan casually, and he was a union member. At the two or three meetings that I attended, I saw him there. He was also in my wife's driving pool, and so I know him through my wife, and of course I knew the people she drove with. And on I think one occasion we drove him to a union meeting, and on one occasion we took him and his wife to a dance. But I have no idea why he would refuse to answer that, or why he should make a mystery of it. I am not a Communist and I never have been, and I never have intentions of being a Communist.

The CHAIRMAN. Let me read the question that was asked of Kaplan. This was yesterday. The question is by Mr. Cohn:

Mr. COHN. Did you know a man named Harold Ducore?

Mr. KAPLAN. Yes, I did know him.

Mr. COHN. Did you ever attend a Communist meeting with him?

Mr. KAPLAN. I refuse to answer that question under the Fifth Amendment.

Then the chairman said:

You understand when you say you refuse to answer on the ground your answer might tend to incriminate you, that you are in effect saying you attended Communist meetings with him, because if you did not attend Communist meetings with him, the answer to that question could in no way incriminate you. Now, I want to ask you this question: When you refuse to answer, invoking the privilege of the Fifth Amendment, are you doing so on the ground that you honestly feel that a truthful answer might tend to incriminate you?

And after a lot of stalling, he said yes, he thinks a truthful answer might tend to incriminate him.

The thing that has puzzled me somewhat is why this man Kaplan, who is apparently a close enough friend so that he rode to work with your wife each day in the car—

Mr. DUCORE. That wasn't a question of friendship. It was a driving pool.

The CHAIRMAN. A financial arrangement?

Mr. DUCORE. I don't know whether she actually collected money, but this was during the war that the pool started, and in order to get gasoline for a car you had to show a number of riders or a share-the-driving plan.

The CHAIRMAN. I realize that.

Mr. DUCORE. That was the only connection.

The CHAIRMAN. I realize we cannot indict you because of the answer of a Communist, but I was just wondering why he would say it would incriminate him if he said whether or not Ducore was a Communist, or whether or not Ducore went to Communist meetings, and I am curious to know, did Kaplan have some grievance against you?

Mr. DUCORE. I knew him casually, of course, and he spoke to my wife in the car. I never attended any meeting with him other than the two or three union meetings at which I saw him.

The CHAIRMAN. You went to City College?

Mr. DUCORE. I did.

The CHAIRMAN. You may have covered this previously, but did you know Julius Rosenberg?

Mr. DUCORE. I don't recall him in any of my classes at City College.

The CHAIRMAN. Or Ethel Rosenberg?

Mr. DUCORE. Definitely not.

The CHAIRMAN. Julius was there at the same time you were?

Mr. DUCORE. There was an overlap there, yes, but he wasn't in my classes.

The CHAIRMAN. How about William Mutterperl?

Mr. DUCORE. I don't remember him from my classes, although there is a possibility. Do you know what class he was in?

The CHAIRMAN. Mutterperl was in social sciences, and he was graduated in 1940, I believe.

Mr. DUCORE. In engineering?

The CHAIRMAN. Yes.

Mr. DUCORE. In 1940?

The CHAIRMAN. That is right.

Mr. DUCORE. It is so long ago, it is hard to picture anybody in the class, but if he was in my class I was no associate of his.

The CHAIRMAN. You have seen his picture?

Mr. DUCORE. I saw it once in a paper, some time ago.

The CHAIRMAN. Is it your testimony now that, number one, you never joined the Communist party?

Mr. DUCORE. That is right.

The CHAIRMAN. And never joined the Young Communist League?

Mr. DUCORE. Never, sir.

The CHAIRMAN. You were never solicited to join either one?

Mr. DUCORE. Never, by anybody.

The CHAIRMAN. As far as you know, your wife never belonged to either one?

Mr. DUCORE. She never belonged to any party.

The CHAIRMAN. And your testimony is you never removed any classified material from the Signal Corps?

Mr. DUCORE. Not without authorization.

The CHAIRMAN. Maybe you could shed some light on this for us. We have had unusual testimony here the last couple of days, testimony to the effect that anyone who had clearance to handle secret material could remove that secret material and take it home to their apartments and leave it there, even though they had no safe to keep it in, even though their roommates were not checked. Is that your understanding of the rules and regulations over there?

Mr. DUCORE. At the time I started work, I know that there were people who took material home and worked on it at home. Sometime after that, I don't know when, a ruling came out that the only time you could take classified material home to work on it would be if you had a three-combination safe lock at home.

The CHAIRMAN. When did that ruling come out?

Mr. DUCORE. I do not remember the date, but it was several years back.

The CHAIRMAN. In other words, it would be 1950 or 1951?

Mr. DUCORE. I think much before that.

The CHAIRMAN. When did you start to work in the Signal Corps?

Mr. DUCORE. June 9, 1941.

The CHAIRMAN. And then you worked there until when?

Mr. DUCORE. Until September 28 when I was suspended.

The CHAIRMAN. Did you ever take secret material home with you?

Mr. DUCORE. The only occasion I took secret material home was when I had authorization, and not to work on it, but to take it someplace. One specific instance I remember, I was going to Washington, I think, on a Sunday night train, and I left the material at the laboratories and picked it up Sunday, so that I would not have to keep it at the house overnight.

The CHAIRMAN. In other words, your testimony is that the only time you ever took secret material to your home was when you were taking it there en route to some destination where you were ordered to take it?

Mr. DUCORE. I made it a habit all of the time I worked there never to work at home on any material.

The CHAIRMAN. Did you have cameras?

Mr. DUCORE. I mentioned this afternoon I have a Kodak Brownie.

The CHAIRMAN. You do not have a Minox?

Mr. DUCORE. No, sir. That is the only camera I have.

Mr. SCHINE. Mr. Ducore, do you have any relatives working for the government?

Mr. DUCORE. None that I know of.

The CHAIRMAN. Let us narrow that.

Mr. SCHINE. Any brothers or sisters or cousins?

Mr. DUCORE. I can't answer for the rest. I am not very close to my family.

Mr. SCHINE. Do you know of any member of your family who has had Communist connections of any sort?

Mr. DUCORE. Again I answer no, but I say I have very loose connections with the rest of my family.

Mr. SCHINE. Mr. Ducore, would you please give us the names of any Communists with whom you have been acquainted over the years?

Mr. DUCORE. I don't know of any Communists.

Mr. SCHINE. You never have been acquainted with any Communist party members?

Mr. DUCORE. Nobody has come to me and said, "I am a Communist." Possibly at City College there were some.

The CHAIRMAN. How about Kaplan? Did you know he was a Communist?

Mr. DUCORE. I didn't know he was a Communist, and the only time I found out, as I said, was after he was suspended or resigned, the rumor was that it had been under pressure and probably because he was subversive.

The CHAIRMAN. When were you married?

Mr. DUCORE. October 8, 1944.

The CHAIRMAN. You never roomed with Kaplan or any of the other people who were suspended?

Mr. DUCORE. In this case, at one time I lived with Bob Martin, Bernard Martin.

The CHAIRMAN. How long did you live with him?

Mr. DUCORE. About two years, from 1942 to 1943.

The CHAIRMAN. Did you know that Martin was removing classified material at the time you lived with him?

Mr. DUCORE. No. I am sure he wasn't, and he never brought anything into the house that I know of.

The CHAIRMAN. I may say we have testimony to the effect that he had been removing secret material. Is that right?

Mr. SCHINE. That is right.

The CHAIRMAN. Did he ever bring anything into the house or the apartment?

Mr. DUCORE. Not that I can remember. This is a long time ago.

The CHAIRMAN. How many rooms in the apartment?

Mr. DUCORE. It was a large house. There were five of us living in it, and it was eleven rooms.

The CHAIRMAN. Who else was there?

Mr. DUCORE. Jerome Corwin, Shepherd Bedler, and Samuel Pomerentz, and Bernard Martin, and myself.

The CHAIRMAN. How about Pomerentz, did you know he was ever accused of removing secret material?

Mr. DUCORE. No, I didn't know he had ever been accused of that.

The CHAIRMAN. Let me ask you one further question, and then counsel has some questions.

We have very convincing proof that secret material from the Signal Corps laboratories has been used in laboratories in the Soviet Zone, and some of the documents have been tentatively identified as to numbers and contents. Would you have any idea how those documents might have been removed from the Signal Corps and might have gotten over to the Soviet Zone?

Mr. DUCORE. I have no idea at all.

The CHAIRMAN. There is no one in the Signal Corps whom you would suspect?

Mr. DUCORE. No. I heard the rumor at one time that certain documents had been reported missing at the laboratory, but shortly after that I heard the further rumor that they had found the certificates of destruction for these, and there was no problem.

Mr. SCHINE. You just said that you had heard that Mr. Kaplan was a Communist, or was tied up with a subversive movement.

Mr. DUCORE. I said I didn't hear that; this was the rumor that went around after he had left the Signal Corps Standards Agency.

Mr. SCHINE. And you knew Mr. Kaplan?

Mr. DUCORE. I knew him from the meetings that I attended.

Mr. SCHINE. So this is one individual who was in one way or another alleged to have been connected with subversive movements. Now, could you think carefully and try and give us the names of any others?

Mr. DUCORE. Well, I can give you the names of the people who were removed and could not successfully appeal, and were removed supposedly for being Communists, and that is Louis Kaplan, Albert Sockel, Marcel Ullmann—

Mr. COHN. Jack Okun?

Mr. DUCORE. He was reinstated after a hearing, and was cleared.

Mr. SCHINE. Can you give us the names of other people who have been accused of being Communists whom you have known over the years?

Mr. DUCORE. I am trying to think. The name of Dan Welker.

Mr. SCHINE. Will you spell that?

Mr. DUCORE. I can't even spell it for you. Welker.

The CHAIRMAN. Does he work for the Signal Corps now?

Mr. DUCORE. No. He was suspended some time ago, and I think he was working for the air force at the time, and I don't know what the charges were, but I suspected at the time it was the same thing.

The CHAIRMAN. What were his duties for the air force?

Mr. DUCORE. I have no idea, and I can't even connect the name with the face.

The CHAIRMAN. Can you think of any other individuals in this category?

Mr. DUCORE. Those are the only ones I know who were suspended and could not successfully appeal.

The CHAIRMAN. What about individuals not working for the government who have been accused or rumored to have been tied up in one way or another with the Communist movement?

Mr. DUCORE. I don't know of any that I know, that I could say hello to.

The CHAIRMAN. I have one more question, Mr. Ducore. You formed a company with Mr. Coleman and Mr. Corwin, is that true?

Mr. DUCORE. That is true.

The CHAIRMAN. In what year did you form this company?

Mr. DUCORE. It was either late 1946 or early 1947.

The CHAIRMAN. For what purpose was this company formed?

Mr. DUCORE. We had ideas at that time of going into business for ourselves, and we thought the best thing to do would be to incorporate, and each take equal stock in the company, and then if we could get the backing financially and the place to work, we would leave the government and start in the electronics business, hoping at the beginning to pick up some business from the Philadelphia Signal Depot, which around that time was putting out orders for replenishment of parts.

The CHAIRMAN. Did you do business with the R & G Company?

Mr. DUCORE. We never did business with any company, and we never actually got into business.

The CHAIRMAN. Did you ever discuss with any company the possibility of doing business in the event you went into operations? I assume you did not plan this thing without sounding out the possibilities.

Mr. DUCORE. The only people we sounded out were people who we thought could back us financially.

The CHAIRMAN. Do you know who were backers of the R & G Company?

Mr. DUCORE. No.

The CHAIRMAN. May I say that we have, in fact, evidence—and it does not mean it is of necessity true, but we have testimony that your company was dealing with the G & R Company, and the two people in that company were Greenglass, convicted of espionage, and Rosenberg, who was executed, who formed that company. The testimony is you formed this company to do business with the G & R Company. Would you care to comment on that?

Mr. DUCORE. I don't see how you could have that information, because we never actually did any business with anybody.

The CHAIRMAN. Did you ever talk to them about doing business with them?

Mr. DUCORE. No. The G & R Company doesn't sound familiar to me. There were two people we spoke to for financial backing.

The CHAIRMAN. Who were they?

Mr. DUCORE. One was a Benjamin Corwin, who was Jerome Corwin's brother; and the other was some outfit up in Mount Vernon that made cameras for the export market, and I think it is out of business now.

Mr. SCHINE. Mr. Ducore, you had a falling out with Mr. Coleman and Mr. Corwin some time ago didn't you?

Mr. DUCORE. With Mr. Coleman, and we actually bought a house together, to cut down expenses. This was a two-family house, and he had one apartment and I had the other, and the first couple of years we got along fine, and then the question of personalities and little bickerings about who mowed the lawn and how well you did it came up, and for the last few years we haven't been seeing each other socially at all.

The CHAIRMAN. Thank you. That will be all. You will consider yourself under subpoena in case we want you again. I may say again that your name will not be given to the press or anyone unless you give it yourself. They may recognize you as you go out, and if they ask you if you have testified you can say yes, or no, or whatever you want to. Thank you.

The CHAIRMAN. Will you raise your right hand? In this matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OKUN. Yes, sir.

TESTIMONY OF JACK OKUN

Mr. COHN. Will you give your full name?

Mr. OKUN. Jack Okun. O-k-u-n.

Mr. COHN. Mr. Okun, where do you live?

Mr. OKUN. 10 Wardell Place, Wanamassa, New Jersey.

Mr. COHN. What do you do now?

Mr. OKUN. I work for Trat Television, T-r-a-t.

Mr. COHN. For how long a period of time?

Mr. OKUN. Two years, sir.

Mr. COHN. Prior to that, what did you do?

Mr. OKUN. I worked for the United States Air Force.

Mr. COHN. Where?

Mr. OKUN. At Watson.

Mr. COHN. And for how long a period of time were you with the air force?

Mr. OKUN. From January of 1945 to July '51, I guess.

Mr. COHN. Did you ever work for the Signal Corps?

Mr. OKUN. Yes, sir.

Mr. COHN. When?

Mr. OKUN. From early 1942, I think it was April, sir, to the time of transfer to Watson Laboratories.

Mr. COHN. And then the source changed from Signal Corps to air force, and you were an air force employee rather than a Signal Corps employee?

Mr. OKUN. Yes, sir.

Mr. COHN. Because of the transfer in functions?

Mr. OKUN. That is correct.

Mr. COHN. Now, was there ever a time when you were suspended?

Mr. OKUN. Yes, sir, I was suspended in 1949, had a hearing before the local security board, and I was reinstated.

Mr. COHN. Why were you suspended?

Mr. OKUN. I was suspended for associating with alleged Communist sympathizers in the local union that I was a member of.

Mr. COHN. Is that the only charge?

Mr. OKUN. Yes, sir.

Mr. COHN. Weren't there other specifications?

Mr. OKUN. Well, they said that my association was based on the fact I was on the executive committee with these people. However, the charges were disproved in the sense I was not a member of the executive committee.

Mr. COHN. Did you receive a formal letter containing the charges?

Mr. OKUN. Yes, sir.

Mr. COHN. And what were the specifications in that letter? Weren't there more than one?

Mr. OKUN. The charges, as I remember them, were concerned with the fact that I was a member of the executive committee of this local.

Mr. COHN. Wasn't there something involving something else?

Mr. OKUN. Then they went on to say in that capacity I associated with those two individuals.

Mr. COHN. Wasn't there anything else outside of the union?

Mr. OKUN. No, sir, I don't think so.

Mr. COHN. Were there any allegations of Communist sympathy or support on your part?

Mr. OKUN. I don't think so, sir, no, sir.

Mr. COHN. Don't you remember that?

Mr. OKUN. No. I believe the charges were based on association with those two individuals in the union.

The CHAIRMAN. You mean two men accused of being Communists?

Mr. OKUN. I don't know whether they accused them of being Communists directly. I think they accused them of having been later discharged from the service as either sympathizers or perhaps Communists, I don't know.

The CHAIRMAN. Let us not waste our time back and forth here, because we know your charges.

Mr. OKUN. I am sure you do.

The CHAIRMAN. The letter of charges accused you of associating with people who were known Communists, or known espionage agents.

Mr. OKUN. No, sir, I don't believe it said that.

Mr. COHN. What were the names of the people?

Mr. OKUN. Mr. Ullmann and Mr. Sockel.

Mr. COHN. Mr. Marcel Ullmann, is that right?

Mr. OKUN. That is right.

Mr. COHN. What was Mr. Sockel's first name?

Mr. OKUN. I think it was Albert.

Mr. COHN. Mr. Albert Sockel?

Mr. OKUN. Yes, sir.

Mr. COHN. Did you know Mr. Ullmann and did you know Mr. Sockel?

Mr. OKUN. I knew Mr. Ullmann as a fellow employee, and I knew him as a fellow union member. I only knew Mr. Sockel as a fellow union member, and I had never known him as a fellow employee.

Mr. COHN. Did you ever have any social contact with Mr. Ullmann?

Mr. OKUN. No, sir.

Mr. COHN. With Mr. Sockel?

Mr. OKUN. No, sir.

Mr. COHN. Did you ever go to any meetings with Mr. Ullmann?

Mr. OKUN. Yes, I did.

Mr. COHN. Did you not know Mr. Ullmann was a well known Communist?

Mr. OKUN. No, sir, I did not.

Mr. COHN. You didn't know that about Mr. Sockel, either?

Mr. OKUN. No, sir, I did not.

Mr. COHN. What else was there in this letter of specifications?

Mr. OKUN. I think there was a reference to a joint meeting that the union allegedly held with the Walt Whitman Club, and I never heard of it.

Mr. COHN. The Walt Whitman Club of the Communist party, is that correct?

Mr. OKUN. No, sir, I think the Walt Whitman Club of Monmouth County, or the Shore Area.

The CHAIRMAN. Did you know that the charge was that the Walt Whitman Club was a Communist club?

Mr. OKUN. I never heard of the Walt Whitman Club.

The CHAIRMAN. When they accused you of belonging to it—

Mr. OKUN. I didn't belong to it.

The CHAIRMAN. I am not asking you that, but when you were charged with that, was the charge that you belonged to a Communist club?

Mr. OKUN. No, sir. The charge was that I had attended a joint meeting of the union with the Walt Whitman Club.

The CHAIRMAN. Did they tell you what the Walt Whitman Club was?

Mr. OKUN. They said it was known to be the shore arm or suspected of being the shore arm of the Communist party, as I recall it.

The CHAIRMAN. I was not asking you whether you belonged. I was asking you if you knew what it was.

Mr. OKUN. That is right.

Mr. COHN. Is that all you recall concerning the letter of charges?

Mr. OKUN. Yes, sir.

Mr. COHN. Nothing else?

Mr. OKUN. Nothing else.

Mr. COHN. You say a hearing was held, is that right?

Mr. OKUN. Yes, sir.

Mr. COHN. Was anything else brought up at the hearing?

Mr. OKUN. Well, the hearing—there was a lot of testimony given by witnesses and a lot of comments made by the members of the board, and frankly, sir, I don't recall all of the things that was mentioned.

Mr. COHN. What were you told concerning the nature of this Walt Whitman Club?

Mr. OKUN. At the meeting, at the board hearing?

Mr. COHN. Yes.

Mr. OKUN. I don't think I was told anything at the hearing with respect to Walt Whitman, and I tried to prove conclusively that I had not attended any such meeting, nor did I ever belong to the Walt Whitman Club, nor did I ever hear of it prior to the mention of the charges.

Mr. COHN. What did they tell you at the hearing? They never told you anything about the club?

Mr. OKUN. I don't have any recollection of it.

Mr. COHN. Didn't they tell you anything about the club and its connection with the Communist party, and didn't they ask you anything about that at the hearing?

Mr. OKUN. I think my attorney and I went over the facts, and we searched the records of the Shore Area, and I went to the library and he searched the records to find out when they had met, and we attempted to show the committee that we had done this by going to the various papers. To that extent the discussion was in the hearing about the Walt Whitman Club, in an effort to prove I hadn't attended any such meeting.

Mr. COHN. Do you know a man by the name of Aaron Coleman?

Mr. OKUN. Yes, sir, I do.

Mr. COHN. Did you ever live with Mr. Coleman?

Mr. OKUN. Yes, sir, I did.

Mr. COHN. And at the time you lived with Mr. Coleman, was his home raided?

Mr. OKUN. I don't think his home was ever raided.

Mr. COHN. Was it searched?

Mr. OKUN. I believe it was.

Mr. COHN. Searched by representatives of the army security intelligence?

Mr. OKUN. I think he told me that, yes, sir.

Mr. COHN. Classified documents were found there?

Mr. OKUN. I believe so, yes, sir.

Mr. COHN. Did you know that those documents were there?

Mr. OKUN. No, sir, I did not.

Mr. COHN. Didn't you ever see Mr. Coleman with any of these documents in his possession?

Mr. OKUN. I never knew Mr. Coleman—I never knew of the possession of the documents specifically, and I knew he took documents home to work on, but I didn't work with Mr. Coleman at that time, and I worked at the air force, and I wasn't concerned with his activities.

Mr. COHN. You lived with him?

Mr. OKUN. That is correct.

Mr. COHN. The question was: Did you know whether or not, or did you know before this search, that there were any documents from the Signal Corps in your establishment?

Mr. OKUN. I did not know that there were documents from the Signal Corps in our establishment.

Mr. COHN. You did not see him bring them in?

Mr. OKUN. No, sir.

Mr. COHN. Did you ever see his work on them?

Mr. OKUN. I saw him working, but I didn't know what he was working on.

Mr. COHN. Did you ever see him working with documents?

Mr. OKUN. Well, documents—I saw him working on papers, and I saw him working on papers.

The CHAIRMAN. How do you pronounce your name?

Mr. OKUN. O-kun.

The CHAIRMAN. You were rooming with Coleman?

Mr. OKUN. Yes.

The CHAIRMAN. The army security came and searched the apartment and found forty-three secret and confidential documents which he was not entitled to have. Did you know any of those documents were in the apartment?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. You did not?

Mr. OKUN. No, sir.

The CHAIRMAN. Were you present when army security came and made the search?

Mr. OKUN. No, sir, I was not.

The CHAIRMAN. You never knew there were any classified documents in the apartment?

Mr. OKUN. I did not know there were any classified documents in the apartment.

The CHAIRMAN. And you never read any of them?

Mr. OKUN. No, sir.

The CHAIRMAN. How about the cameras in the apartment?

Mr. OKUN. I never saw any cameras in the apartment.

The CHAIRMAN. You did not?

Mr. OKUN. No, sir.

The CHAIRMAN. That is rather unusual. Mr. Coleman himself testified that he had a number of them there.

Mr. OKUN. I never saw them.

The CHAIRMAN. You didn't know they were there?

Mr. OKUN. No, sir.

The CHAIRMAN. You did not know Mr. Coleman had cameras?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. Did you ever see a Minox camera?

Mr. OKUN. I don't know what a Minox camera is, sir.

The CHAIRMAN. I will tell you. It is a little camera about half as big as this pencil.

Mr. OKUN. I never saw one.

The CHAIRMAN. You never saw one of those?

Mr. OKUN. No, sir.

The CHAIRMAN. You never saw any cameras there?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you see a typewriter there?

Mr. OKUN. I don't think there was a typewriter in the apartment, sir.

The CHAIRMAN. Well, Mr. Coleman testified that there was.

Mr. OKUN. If he did, then there might have been, and I do not recall the typewriter in the apartment.

The CHAIRMAN. You lived with him there, and he has testified that he had two or three cameras, and he testified he had a typewriter. And you never saw it?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. How big an apartment was it?

Mr. OKUN. It was—or there was——

The CHAIRMAN. How many rooms?

Mr. OKUN. I think it was called a 2½-room apartment.

The CHAIRMAN. That would be a bedroom and a living room and a bathroom?

Mr. OKUN. Yes, sir, and a dining area.

The CHAIRMAN. You lived with Coleman for how many months?

Mr. OKUN. When he returned from the service until I got married, a matter of perhaps a year or so.

The CHAIRMAN. About a year?

Mr. OKUN. Yes, sir.

The CHAIRMAN. And during that entire year, you did not know that Coleman was an amateur photographer and made that one of his hobbies?

Mr. OKUN. I never saw Coleman as an amateur photographer at all.

The CHAIRMAN. You never saw his photostating equipment in the apartment?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you know he copied any of those documents?

Mr. OKUN. I never saw Mr. Coleman copy any documents, and I never saw him copy anything but doing his studies and his writings, and I don't know what he was writing.

The CHAIRMAN. I am rather curious at this point—and you may be able to shed some light on this—where the documents were hidden, if you did not see them. Forty-three is quite a sizable number, you understand.

Mr. OKUN. It does sound like a lot.

The CHAIRMAN. Documents classified as secret and confidential and dealing with radar. Would you have any way of telling us how it happened you lived in this two-room apartment and you never saw any of the secret documents?

Mr. OKUN. Mr. Coleman came back from the service with a lot of papers and a lot of booklets, and I never had anything to do with it, and I am not a technical man. I had nothing to do with it and I left them strictly alone.

The CHAIRMAN. Did you ever discuss with him the raid upon the apartment by the army security officers?

Mr. OKUN. Only in the sense that he told me that they had asked him to come to the apartment, and he had agreed to let them come.

The CHAIRMAN. Did he tell you that they searched it and found forty-three classified documents?

Mr. OKUN. He didn't tell me they found forty-three documents. He said they found some papers, that they took.

The CHAIRMAN. Did he tell you why he was suspended?

Mr. OKUN. At that time, yes, sir, and he said that he had violated security.

The CHAIRMAN. Did he tell you that he had stolen secret documents?

Mr. OKUN. No, sir.

The CHAIRMAN. He did not?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you ask him what security he had violated?

Mr. OKUN. I don't recall, Senator. I might have, and I really don't remember.

The CHAIRMAN. Were you not interested when you learned about it?

Mr. OKUN. Yes, but he was very disturbed about it, and I didn't bother him. I thought he worked out his own salvation on the subject, and I had nothing to help him with.

The CHAIRMAN. Where are you working now?

Mr. OKUN. Trat Television, sir.

The CHAIRMAN. When did you leave the Signal Corps?

Mr. OKUN. In 1951.

The CHAIRMAN. Does this Trat Television work for any government agency?

Mr. OKUN. We have some contracts with the Signal Corps and air force and navy.

The CHAIRMAN. You do classified work, do you?

Mr. OKUN. No, sir, I don't think that there is anything classified in the plant.

The CHAIRMAN. What kind of work do you do for them?

Mr. OKUN. I am concerned with the packaging of commercial and whatever other governmental equipment is fabricated in the plant.

The CHAIRMAN. How about the Signal Corps, what kind of work do you do for them?

Mr. OKUN. We have same contracts with the Signal Corps.

The CHAIRMAN. What kind of work do you do for the Signal Corps?

Mr. OKUN. Specifically, all of the projects that have packaging problems are done by myself for packaging and shipping.

The CHAIRMAN. Do you package and ship any classified material?

Mr. OKUN. No, sir.

The CHAIRMAN. Are you sure of that?

Mr. OKUN. Yes, sir.

The CHAIRMAN. In other words, your testimony is that your company handles no classified material for any government agency?

Mr. OKUN. To the best of my knowledge, yes, sir.

The CHAIRMAN. If you are handling classified material, would you know it?

Mr. OKUN. I think that if there were classified material to be shipped, I would hear about it, yes, sir.

The CHAIRMAN. You may have covered this before, but did you ever join the Communist party?

Mr. OKUN. No, sir, I have never joined the Communist party.

The CHAIRMAN. Were you ever solicited to join?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you ever belong to any organizations listed by the attorney general as fronts for the Communist party?

Mr. OKUN. No, sir.

The CHAIRMAN. How many brothers and sisters do you have?

Mr. OKUN. I have two brothers.

The CHAIRMAN. They are not working for the government?

Mr. OKUN. No, sir.

The CHAIRMAN. Your wife is not a Communist?

Mr. OKUN. No, sir.

The CHAIRMAN. She is not working for the government?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you ever remove any secret material from the Signal Corps?

Mr. OKUN. No, sir.

The CHAIRMAN. Never at any time?

Mr. OKUN. No, sir.

The CHAIRMAN. Were you cleared for handling secret and top secret material?

Mr. OKUN. I never had clearance for top secret, and I think that was reserved for very few people.

The CHAIRMAN. You had a clearance for secret?

Mr. OKUN. Yes, sir.

The CHAIRMAN. There has been testimony today that anyone with a clearance for handling secret material could remove material from the laboratory.

Mr. OKUN. I beg pardon?

The CHAIRMAN. We have had testimony today that anyone with secret clearance could remove secret material from the laboratory. Was that your understanding of the situation?

Mr. OKUN. No, sir, I don't think anybody had a right to remove any documents that were classified without a pass.

The CHAIRMAN. So that it is your opinion if anyone took documents, or took secret documents from the laboratory without a pass, they would be violating the Espionage Act; is that right?

Mr. OKUN. I don't know what the Espionage Act is with respect to that situation, but I would say anybody who took any secret documents without any passes, they would be violating at least the regulations of the installation.

The CHAIRMAN. You may step down. I do not think we will need you again, but in case we do, we will call you.

Mr. OKUN. Thank you.

The CHAIRMAN. Consider yourself under subpoena. I may say we do not inform the press or anyone of your name, and the only way they will know you are here is if you tell them. And if you want to tell them you are here, that is up to you.

Did you know Mr. Sobell?

Mr. OKUN. No, sir, I never met Mr. Sobell.

The CHAIRMAN. How about Julius Rosenberg?

Mr. OKUN. I never met him, either.

The CHAIRMAN. How about Ullmann?

Mr. OKUN. I knew him as a fellow union member, but I never associated with him on a social basis or any other basis.

The CHAIRMAN. Did you ever visit his home?

Mr. OKUN. I think I visited his home at one union party that was given, which was a general open party, but that was all, sir.

The CHAIRMAN. That was the only time?

Mr. OKUN. Yes, sir.

The CHAIRMAN. Did he ever come to your home?

Mr. OKUN. Yes, to pick me up to take me to a union meeting, but not to stay.

The CHAIRMAN. Now many times has he picked you up?

Mr. OKUN. I would say perhaps three, two or three times, or maybe four.

The CHAIRMAN. You are aware of the fact now, of course, that he was a Communist?

Mr. OKUN. As soon as he was suspended, sir, I never saw the gentleman again excepting at my hearing, and in fact, I had a call from a friend of mine who was working in the city at the time, and he asked me about a fellow who had come up to ask him for a position, and the man's name was Mr. Ullmann, and I told him that "I would not hire Mr. Ullmann if I were you, because the man has been suspended for potential subversive activities," and that was written into my hearing record, sir.

The CHAIRMAN. Who did you tell that to?

Mr. OKUN. To Mr. Harvey Sachs, who called me on the telephone about it, and that was the situation.

The CHAIRMAN. What year was this, do you know?

Mr. OKUN. This was in 1949, sir, I believe.

The CHAIRMAN. It was in 1949 they interviewed you and said, "What do you think of Ullmann?" And you said, "I do not think I would hire him because he has been discharged." I think that that is all. If we want you again, we will call you. In the meantime, consider yourself under subpoena.

Mr. OKUN. I will be very pleased to.

The CHAIRMAN. I hope you understand that the mere fact you are called here does not mean that the committee feels one way or the other about your activities. We just call you to get information.

Mr. OKUN. I will be very happy to offer whatever I have, sir.

The CHAIRMAN. To this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Gen. LAWTON. I do.

TESTIMONY OF MAJOR GENERAL KIRKE B. LAWTON

Mr. CARR. General, you are the commanding general at Fort Monmouth at the present time?

Gen. LAWTON. Yes, sir.

Mr. CARR. How long have you been commanding general there?

Gen. LAWTON. Nineteen months.

Mr. CARR. Nineteen months?

General LAWTON. Yes, sir—or rather, twenty-one months.

Mr. CARR. Prior to that, you were the deputy chief of staff of the Signal Corps?

Gen. LAWTON. Yes, sir.

Mr. CARR. Immediately prior to that?

Gen. LAWTON. Yes, sir, in the Pentagon.

Mr. CARR. Now, to get right down to the subject matter, at Fort Monmouth, as you are aware, there have been security risks, and you have already suspended some people from Fort Monmouth, or the secretary of the army has. We would like to know what action has been taken at Fort Monmouth concerning security risks, in a general way to begin with.

To help you on that score, we understand that there has been an investigation conducted over a period of time, and we would like to know what the result of that investigation disclosed.

Now, you can consult with Mr. Adams concerning any security regulations on that, but we would like to know what the result of that investigation disclosed, General Lawton.

Gen. LAWTON. Having been in the Pentagon as deputy chief signal officer, I will start with a little background as to why I knew what the problem was anywhere in the country, Monmouth or some other place.

Now the war is over, and there are a lot of things that have been classified like travel orders, troops, officers going overseas. That is classified. The war is now over, and nobody during the war had time to declassify, or in fact, you couldn't declassify it, and the war is now over so you have to clean out your files.

I had a committee of three officers who spent about a year and a half declassifying records in the chief signal officer's office, and finally got that down to a current working basis. We set up a cage and put people in it, like a bank cashier, so that everything was formally handled and recorded.

Then when I went to Monmouth, I was completely security conscious, and in my investigations of each particular activity, including the laboratory—and I have got many other places that have just as secure information as that is—detailed corrections had to be made with the person who kept the records to see that they were checked out and they were checked in, and a physical count was made periodically.

My impression was that there had grown up in the army a system which was not foolproof for accounting for these things, and so I required a physical check, just like you would property in the army. You sign a memorandum, but every once in a while some officer goes around and makes a physical check of property.

So after my arrival at Fort Monmouth, I instituted that, and have had it going on—

Mr. CARR. This is a physical check. When you arrived at Monmouth, shortly thereafter you instituted a physical check to determine security as far as these documents that you were talking about were concerned, to see what your security was and to account for them?

Gen. LAWTON. That is right, and it was possible for the girl with the security records to loan one out to an authorized person, and he might have it six months. To my way of thinking, that is not good. He should come back every thirty days with it, or somebody should go to him and say, "You are charged with ten documents. Let us see them."

If you don't do that, the things are going to get misplaced, and possibly lost, and you don't discover it for six months. So in general, we check all of the security documents every thirty days.

Mr. CARR. That is your present system?

Gen. LAWTON. Yes, sir.

Mr. CARR. To get back specifically to security risks as far as personnel are concerned, did you make a study at that, also, when you arrived at Monmouth?

Gen. LAWTON. Yes, sir, and long before.

Mr. CARR. You mean beginning when you were deputy chief of staff?

Gen. LAWTON. Yes, sir.

Mr. CARR. That investigation consisted of what, in general terms? What did they do?

Gen. LAWTON. The only reason I am hesitating is, I can't mention names and I can't mention the people.

Mr. CARR. I don't want the names at this point. I would like to know just what steps you took.

Gen. LAWTON. I had a chart, a monthly staff reading, like I count the costs of electricity and motor transport. I had a chart made of the number of security risks we had in which we had forwarded through channels to Washington, and that goes up in a bar on the top side; and then right aside of it, the number that had been returned approved for removal.

I don't think I can give you that figure, according to this regulation, as to how many removals I had versus the number I had sent in to Washington.

The CHAIRMAN. May I say, you may want to talk to Mr. Adams about this, but we have had so much experience with this executive order and the various interpretations. If you feel strongly that that would be a violation of the rules, I would not want to order you to answer it.

Gen. LAWTON. I would love to tell you, but I honestly feel that it is, and you can get it so easily another way.

The CHAIRMAN. May I say, General, if you honestly feel you would be violating a rule, I would not want to put you between two fires: of being in contempt of this committee or being subject to a court martial for having violated the presidential directive. For that reason I am not going to order you to answer the question.

I would like to make it very clear for the record that I think it is ridiculous to the point of being ludicrous to think that an army officer cannot tell the American people how many Communists or disloyal people he has gotten rid of. I may say that all of the evidence of infiltration by Communists and subversion of the army has caused the army to drop to a rather low point in the estimation of the American people, and it is bad for this country. It would be a good thing if the American people could learn that we have someone someplace who is kicking the Communists out. I know how many security risks you have been working on, and how many cases of subversion; and if the president of the United States wants to continue to operate under a rule which is going to keep the facts in the dark, that is all right. I may say I do not blame the president for this. I do not think he has any conception of the fact that army officers will come before a committee and refuse to give this testimony. Again, I am not blaming you, you understand. You feel that that is the correct interpretation, and you have a legal officer of the army here, and he tells you that that is the interpretation.

If I may risk being boresome by repetition, I think it is the most fantastic and it is the most unbelievable situation that I have ever heard, to think the people cannot hear the facts about whether or not you are clearing house. I think somebody over there has been doing an excellent job over the past month, and I think that your suspicion of people, and the removal of them from handling top se-

cret work, is an excellent thing. And I think it would be a good thing if the people knew that. But I am not going to order you to answer it.

Gen. LAWTON. May I say that I agree with everything that you have said, and I think the public should know it, and I think that you should know it. I will have to stand on that interpretation of this change of the regulations, but let me say this: I would love to have you just stick it on a piece of paper so that it would be in writing like this and present it to the secretary, and then you can quarrel with the secretary. I will give you help on the telephone.

The CHAIRMAN. I have the figures here, which shows you have been speeding up your security survey, and the result of the survey since you have been there, initiated by you—an excellent idea, I think, that you had; that you found between 100 and 115 people who were considered security risks; that you yourself, or the secretary of the army, I do not know which has ordered the survey to be speeded up, and that you got rid of the worst of those security risks as soon as possible.

I think that that is information the American people should have; and if that is correct, I think it is something that would restore some of the lost confidence in the military.

I think it is unfortunate that all we can do is expose the bad things about the army. I would like to come in here and expose some of the good things you have been doing over the past.

Gen. LAWTON. Why didn't the secretary answer that question? He knows what he is doing.

The CHAIRMAN. We did not ask him that question. We have refrained from putting the secretary under oath or anything of the kind, and he was merely here as a spectator. We have not asked him for any information at all. The secretary will come back, and we will talk to him about it.

Gen. LAWTON. If he will just say yes, you have got it.

The CHAIRMAN. Let me see if we can ask some questions that will not put you on the spot as far as violating the regulations is concerned. Can we phrase the question this way: Would you say that since you have taken over, and especially over the past six months, you have been working to get rid of the accumulation of security risks in the Signal Corps, and that you have suspended a sizable number, and you are working toward getting rid of all of those that you now consider loyalty or security risks? Would that be a safe statement?

Gen. LAWTON. That is a question I will answer "yes," but don't go back six months. Let us go back—effective results have been in the offing in the last two weeks. I have been working for the last twenty-one months trying to accomplish what is being accomplished in the last two weeks.

The CHAIRMAN. I think that covers that. So that you would say that in the past several weeks, you are getting some effective results?

Gen. LAWTON. Absolutely, that we have not gotten for the last four years.

The CHAIRMAN. And you have the complete cooperation of the secretary of the army in this, I understand.

Gen. LAWTON. Absolutely, and things are moving.

The CHAIRMAN. Could you tell us why it is only in the last two or three weeks that you are getting these effective results?

Gen. LAWTON. Yes, but I had better not. I know this so well, but I am working for Mr. Stevens.

The CHAIRMAN. Here is one of the things that has disturbed me a very great deal. We have the testimony of Mr. Coleman to the effect that he could remove secret material at will; and we have the testimony of his superior officer, who was not his superior officer during your regime, but he has been over at MIT since then, to the effect—and I am not putting it verbatim—that almost anyone with secret clearance could remove secret documents and take them home to their apartments and their homes, regardless of who they lived with and whether they had a safe or not, and keep them there for a day or two days or three days. Yamins testified that during the war there was no check-out system at all, no check-in and check-out. He testified during the war there was no system of checking in and checking out. When we asked about that, he said that the reason was they were working sixteen or eighteen hours a day.

I am just curious to know whether you think that was not a direct violation of the regulations for handling secret material.

Gen. LAWTON. If the man had a three-combination safe at his home to put it in while he was asleep or when he went to eat, and when he wasn't personally guarding it, it is my opinion that that is not a violation. In my own case, I have a safe, and when I went to Monmouth I couldn't get my paperwork done during the daytime, and I had a safe in my quarters and I took home my work. When it was uncompleted, I would put it in the safe, because there were servants around. Then when I got ready to work on them, I would open it up and do my work and put them back in the safe and go to bed. That is the only way you can handle classified material when you take it out of your office.

The CHAIRMAN. From the survey which you have been making, General, would you agree with the thoughts which I think all of our staff have, and which I have, that is, that there apparently has been a very serious espionage problem over there? If so, you might elaborate on that. I would appreciate it very much.

Gen. LAWTON. I don't know of any since I have been there or when I was the deputy. We have had several reports that we had lost papers which did not turn out to be true. I will tell you—do you want me to take three minutes to go into how these things happen?

The CHAIRMAN. Yes.

Gen. LAWTON. Let us take last summer. A report came through—and this is hearsay—the Asbury Park—let us not mention the press. They will raise hell with you if you happen to be wrong, but let us say the press. Sixteen documents we had lost in the laboratories, and it came out in the press.

The CHAIRMAN. I may say this testimony is not made public. This is an executive session.

Gen. LAWTON. Can I refute that by saying some day later you may change your mind, and it is—

The CHAIRMAN. That is right.

Gen. LAWTON. All right, we understand each other. Let us say we got a report in the press we had lost sixteen documents. This is on a Thursday, I think, it came out in the press, and we got a hold of it and went to work on it Friday. They had specified where it was lost, and we knew where it was. And it was specified in the right place, because one of those physical check routines that I had had discovered that this particular girl had checked these out and they had been out thirty days and they couldn't find them. So they would have normally taken a week to hunt around during the day-time to find them.

Our supposition is that either somebody in the lab that didn't like us, or some friend of his he talked to one night, said "The Signal Corps is in a mess because they can't find sixteen papers," or "The boys are disturbed because they have lost sixteen papers." That is how I think it got in the press.

Of course, we don't lose papers, and people don't steal papers that are in this business. That is the last thing you do. You copy the paper and you photograph it, but you never get it out of the laboratory. That is the worst thing to do, although you have seen evidence where they did, and yet maybe he had a right to take it, I don't know.

So we detailed men to this, and this crowd went to work on Friday. I told them they would work Friday night and Saturday night and Sunday night, and Monday morning I wanted the papers found. They found the papers about two o'clock on Saturday morning, and here was the sequence:

They borrowed them from the check girl for an engineer and, well, he had worked on this as part of his business, and other engineers, four or five of them, on the same. And he had loaned it to another lad, and he didn't get a receipt. You see, this guy didn't get a receipt. The girl got a receipt all right, but he didn't get a receipt. And so when the physical check was made we went to him and he said, "I haven't got the paper." "Who did you give it to?" And he said, "I don't know. I think I gave it to somebody."

At two o'clock in the morning they went through everybody's files and they found the sixteen papers.

But the press came out and said the Signal Corps had lost sixteen papers. We hadn't lost anything.

That is what this physical check will do, and without it you can't run one of these systems. He could have had it a year if you don't have a physical check, and it might have gotten lost in cleaning out.

Mr. COHN. I want to ask you a few questions there. Is there, to your knowledge, an espionage ring operating at Monmouth now?

Gen. LAWTON. No, sir.

Mr. COHN. Has there ever been?

Gen. LAWTON. Not to my knowledge, no, sir.

Mr. COHN. Do you know of any papers which you had information concerning to the effect they had gone from the Evans Signal Laboratory into the hands of the Russians?

Gen. LAWTON. No, sir.

Mr. COHN. Did you ever receive any information to that effect?

Gen. LAWTON. No, sir, not in the hands of the Russians. The first I heard of it was when I saw it in the press yesterday or the day before.

Mr. COHN. Your testimony is you had never heard from any responsible quarter—or let us make it first of all from any quarter whatsoever, that documents from the Evans Signal Laboratory had been seen and found in the possession of the Communists?

Gen. LAWTON. The answer is no, I never have.

Mr. COHN. You never have?

The CHAIRMAN. Did you understand that question?

Gen. LAWTON. To the best of my memory, yes. They threw a case at me today that I had seen, but I had forgotten about it. It was a year old.

The CHAIRMAN. Did you not get the reports from the air force intelligence in Europe, a detailed report that material from Evans Laboratory was very freely available to the Communists?

Gen. LAWTON. No.

The CHAIRMAN. Strike that question. I want to make this very clear. Did you not receive a report from the air force intelligence that a Communist who had left the Pirma Laboratory and came over into West Germany, gave details of secret documents from the Signal Corps at Evans Signal Laboratory? You got that report?

Gen. LAWTON. I saw it this morning, and I saw it a year ago.

The CHAIRMAN. Well, that does not jibe with your answer.

Gen. LAWTON. I don't remember reading in the report that it got to the Russians, and the report——

The CHAIRMAN. What was the report, General?

Gen. LAWTON. As I remember the report, it listed a number of equipments that we had, and the air force reported this. The air force intelligence reported to us.

The next paper on this report—and I have forgotten how many days or weeks or months later—said that the party that made that report had denied the facts in the report, and the air force notified us that it was a closed case.

The CHAIRMAN. That report, I assume, disturbed you a great deal, General, if you learned that stuff came from your laboratory and was in the hands of the Communists.

Gen. LAWTON. The air force said it is a closed case because nothing happened.

The CHAIRMAN. It is not a closed case, General, until you are satisfied it is closed. When you first got the report—when did you first get the report?

Gen. LAWTON. That I don't know. When they showed it to me today, it was a year old, and I remember now having seen it.

The CHAIRMAN. Did you see it a year ago?

Gen. LAWTON. I presume I did.

The CHAIRMAN. Well, now, that was of more than passing concern, General, when you get a report from the air force intelligence. The first report was that here is a reliable informant, and they examined the material, according to their report, and they said, "This came from the Signal Corps Laboratory, and it was used in the Pirma Laboratory, a Communist laboratory, in East Germany." Did you see that then, and what did you do, General?

Gen. LAWTON. I can't answer your question, because today when they showed me that paper I had no recollection of ever having seen it, and I am sure if I had I would have taken the same attitude that you think I should now.

The CHAIRMAN. Then you did not see it until today?

Gen. LAWTON. I wouldn't say I didn't see it. I don't remember having seen it, and I am sure if I had I would have moved on it, and I well would have remembered it like the newspaper report. I have a stamp and I stamp everything that crosses my desk, and I didn't see it on there. I asked my boys today, "What makes you think I saw this?" And they said, "You did." And I said, "Well, all right."

The CHAIRMAN. Here is part of the report. I will read it to you:

The incident document indicates that the defector had seen an entire film based on Oak Ridge, Tennessee, the atomic energy location, while he was with Prima in the Russian Zone, and the information he supplied concerning the film clearly indicates that he actually had seen it, and it contains much technical data as well as some physical.

I am speaking of that. Did you see that?

Gen. LAWTON. No. This is a list of signal equipment, some I.F.F., some identification of friend or foe radio equipment.

The CHAIRMAN. Let me ask you this, then: Here is the Air Corps intelligence report. Let me quote—number one, it consists of eight pages.

Gen. LAWTON. I only saw two pages in the report I saw.

The CHAIRMAN. The last three pages consist of drawings. Did you see the drawings?

Gen. LAWTON. No, sir.

The CHAIRMAN. The report states that the defector—by that I mean a Russian scientist who left and came over to West Berlin—saw microfilms of blueprints of documents bearing the name of the Evans Signal Corps. Did you see that in the report?

Gen. LAWTON. No, sir.

The CHAIRMAN. "He testified that materials had actually been built from the documents, and he indicated that the Russians could obtain any information that they desired from Evans Signal Corps Laboratory." Did you see that report?

Gen. LAWTON. No, sir.

The CHAIRMAN. Can you give us any reason why you should not have seen it?

Gen. LAWTON. No, sir, I can't. Has it been at Fort Monmouth?

The CHAIRMAN. I do not know. I just cannot imagine why you, the commanding officer of the Signal Corps, should not see it.

Gen. LAWTON. I agree with you. I don't, either, if such a thing ever landed here. Not even my G-2 would get something like that without bringing it to me.

The CHAIRMAN. I may say there was an investigation at Fort Monmouth, and it was finally held up by someone over in Fort Monmouth, so it has been over there, General.

Gen. LAWTON. What is the date it was over there?

The CHAIRMAN. I do not know what date it was there. I know it has been there for a long time. It has been there for a number of months, more than four months.

Gen. LAWTON. Oh, no.

The CHAIRMAN. I am going to ask you, General—I think this is a matter of tremendous importance, and I am going to ask you to go back and get a report on this, and come back and see us tomorrow.

Gen. LAWTON. I will be glad to; if anything like that is in my place and I don't know about it, it is wrong. And it is wrong if something hasn't been done about it, of course.

The CHAIRMAN. Do you know anything about this defector who came over into Western Germany—

Gen. LAWTON. No, sir.

The CHAIRMAN. [continuing] and gave the information about the material received from Evans Signal Corps Laboratory?

Gen. LAWTON. No, sir, that doesn't ring a bell anywhere, even my two years in the Pentagon and the two years up here.

Mr. COHN. If you had, it certainly would have rung a bell.

Gen. LAWTON. Oh, yes, we would have turned things upside down.

Mr. COHN. Let me put it this way, if I may, General: You are the commanding officer out at the Signal Corps installation at Fort Monmouth, part of which was this Evans Signal Laboratory, which was working on highly classified radar material vital to the anti-aircraft defenses of the country.

Now, another thing, you know, of course, that before your time there, Julius Rosenberg had worked there, and Vivian Glassman, and you know about Dr. Grundfest and a lot of other things. If, on top of all of that, you come across or there comes to you a secret or top secret document from intelligence, from air force intelligence and Signal Corps intelligence, saying that a defector Russian scientist has jumped the lines over in Germany and he was working for years over at the Pirma Laboratories in the Soviet Zone for the Russians on highly classified work over there, and he gave a detailed description of film involving atomic energy which was checked and found to be completely accurate, so he must have seen it, and he never had been around the Allied territories before; furthermore, he said he had seen a number of highly classified documents from the Evans Signal Laboratory, and that they had built radar devices from some of these documents, and that it was possible for them to receive any documents that they wanted over there from the Evans Signal Laboratory—now, there are other details, and this man, the record will show, was a scientist, and I don't doubt that the numbers might have been wrong and his description might have been off on certain things, but basically it indicates that the thing rang true. Wouldn't that have shocked you if it was called to your attention?

Gen. LAWTON. Yes, sir, and my memory is not so bad that I would not remember it.

Mr. COHN. If they had acted properly and showed that to you, undoubtedly that is something that you would know?

Gen. LAWTON. I would remember it just like I told you about the press report.

Mr. COHN. This would be more substantial than a press report, is that right?

Gen. LAWTON. That is right.

Mr. COHN. It is an intelligence report, and the thing rings true, and you don't get a man, a Communist, walking across the lines and giving a head-to-foot description of a film on atomic energy which is ours, and throwing around the terms about the Evans Signal Laboratory and describing documents, without that being something which is going to really ring a bell.

Gen. LAWTON. I have never seen it, but let me recall one thing to my own mind. I said this once on a minor thing, and it wasn't this important, and nothing has ever been this important. They brought me in a paper that I had initialed four years before and made a liar out of me. And so you can do this to me, but I am sure if this is within a year, I know that I have never seen it, or heard of it even.

The CHAIRMAN. The document number, Signal Corps Intelligence, is ATI-1004-52, Air Technical Intelligence, dated June 5, 1952, and this refers not to the documents stolen from the Signal Corps but to the air force intelligence report, which certainly should have been forwarded on to you and which you should have. The air force number is AF-4677-53, and it is classified as secret. The document originated at headquarters, USAF, Europe, Air Technical Intelligence Branch. It consists of eight pages, the first five pages of which are typewriting, and the last three pages consists of drawings. The typewritten part is to the effect that the defector saw microfilms, blueprints of documents bearing the name of the Evans Signal Corps, and it indicates that the defector testified that materials had been built by the Russians using the specifications set forth in the Signal Corps documents. This document indicates that the defector testified that the Russians could obtain any information that they desired from Evans Signal Corps Laboratory.

I may say that he had apparently convinced the air force intelligence completely, because here was a man who was never in this country and would normally have no knowledge whatsoever of secret documents in Evans Signal Corps, and would not know there was such a place as Evans Signal Corps, and he describes the stuff in detail.

Now, the information indicates that someone in the Pentagon ordered that there be no investigation made of this document. I am sure that would interest you. You would be interested in knowing who it was that said, "Let us not investigate and find out who stole these documents."

If we can give you any more information on this, we will, but I think that that should be enough.

Gen. LAWTON. I think those numbers ought to start me off on it.

Mr. COHN. It is very clear, General, you might have seen this, but certainly the full impact of it could not have been called to your attention; is that right?

Gen. LAWTON. Yes.

Mr. COHN. This would be something of a major thing.

Gen. LAWTON. That is right.

Mr. COHN. Now, General, about Dr. Gruenfest—G-r-u-e-n-f-e-s-t, I think, is the spelling.⁵ Let me ask you this: Could it be, just to avoid any technical error here, there is anything similar to this

⁵Professor Harry Grundfest testified in a public hearing on November 25, 1953.

which was called to your attention since you have been commanding general?

Gen. LAWTON. Yes.

Mr. COHN. What was that?

Gen. LAWTON. Well, my G-2 showed me a paper today that came from air force intelligence and had two pages, and it listed some equipment. All of the items that were listed were declassified except one. That was marked "Confidential," and I have forgotten which piece it was. And then the third page came along, and I don't know how long after the first two pages before the third page came from the air force and said, "We have found that the informant was wrong," and they didn't even say "unreliable." They said he was wrong. "Disregard it. The case is closed."

Mr. COHN. When was that first called to your attention?

Gen. LAWTON. Today, as far as I remember, and I asked my G-2 if I saw it a year ago, and he said yes, I did, and I said, "Show me how you know I did, because my stamp is not on it."

Mr. COHN. That is another thing which would have hit you very forcefully that was called to your attention?

Gen. LAWTON. Yes, sir.

Mr. COHN. So I understand this correctly, probably what happened is one of two things: Either they are in error, and they didn't show it to you, or if they showed it to you it was rushed through in such a way that it was not called to your attention.

Gen. LAWTON. I am sure it never hit my desk, unless it is one of those remote cases.

Mr. COHN. That is the kind of thing, if it had hit your desk, what we are talking about, or what you are talking about, those lists or this, or if they are the same thing or part of the same thing or if they are different things, it is something that, particularly in this background of the mess there before you came, would have hit you very forcefully, and you certainly would have done something about it personally.

Gen. LAWTON. And why I say that is that every month we have sent out task forces, in addition to routine things, to check people, and I go myself. On 1 September I got kind of sick—let us use better English—I was a little disgusted at my own people for the violations that I was continuously finding. Now, these are little things about carbon paper and desk pads and unlocked drawers with steno things in them, which is a violation, and so I set 1 September of this year as the target date, and anybody found with a violation, no matter how small, the minimum price was an official reprimand and \$25. With civilian personnel we had a scale, depending upon what it was; a desk pad was so much and stenos was so much and carbon paper was so much. The G-2 boys worked it out, and that is the ground rules. Since 1 September, three officers have gotten punished and, I don't know, eight or ten civilians.

This is a continuing thing, and they will get punished just the same as people would punish people for automobile traffic violations.

The CHAIRMAN. I still do not have the picture of this other document, General, you discussed. You said it contained a list of equipment, and then you stopped there. You mean equipment that allegedly disappeared from the Signal Corps?

Gen. LAWTON. Oh, no. It would be wartime stuff that they had gotten a hold of, and nothing new, because it wasn't classified. It might not have been wartime stuff, and it wasn't classified equipment that this fellow had gotten a hold of.

The CHAIRMAN. This equipment was supposed to have been gotten a hold of by whom?

Gen. LAWTON. They didn't name him, some informant. The air force intelligence said "this informant." I can't answer that question. This equipment had gotten into the hands, I would presume, of the Russians, or something.

The CHAIRMAN. In what way would that affect the Signal Corps, it being equipment—

Gen. LAWTON. Some of our troops maybe over in Germany had lost some.

The CHAIRMAN. Was it Signal Corps equipment?

Gen. LAWTON. Some of it was Signal Corps equipment, and that is why the air force sent it to us.

The CHAIRMAN. But you did not receive, and up to this point you have not received, any information about the documents from Evans Signal Corps?

Gen. LAWTON. No, sir, I knew nothing of that until I saw it in the press the other day.

The CHAIRMAN. I may say that I can understand why it was not brought to your attention, because our information indicates that someone in the Pentagon did order that the investigation of this be discontinued. So that I can see where you perhaps did not have this information.

Let me ask you this: In view of the fact that you took over the Signal Corps here, and one of your tasks, I assume, was to clean house there and clean things up—and you are apparently doing a pretty good job of that—does it not seem just unusual in the extreme that they not let you know about this allegation, which the air force intelligence thinks is valid, to the effect the Russians could get anything they wanted from Evans Signal Corps? It would seem to me one of the things that should promptly be done would be to go over and, in detail, interview this defector and find out all of the information he has, and get the whole picture.

Gen. LAWTON. The answer to your question I must dream, and I know nothing about it, but couldn't it be possible—and it does happen this way—that G-2 of the army, getting this, said "Let us not stop the leak, let us let it continue," like the opium cops do, "and let us let it continue and get the big fellows."

The CHAIRMAN. That could be.

Gen. LAWTON. I don't know, but I will agree with you that unless there is something like that, that should have come to me.

The CHAIRMAN. That might be one excuse for not making anything of it publicly, although the indication there that we have is that they ordered the investigation to be discontinued.

Gen. LAWTON. If they did that, I would say that there is something here that doesn't meet the eye.

The CHAIRMAN. Unless there may be something we do not know about, that they wanted to encourage, in effect, those who were doing the stealing to get the ringleader. That is possible. The information we have is that the document was impounded in the safe

by Mr. Garhardt, if you want to make a note of that name, G-a-r-h-a-r-d-t, in case they say they cannot find it.

Gen. LAWTON. It is still in the signal intelligence?

The CHAIRMAN. I think so.

General, what did you do before you went over to the Signal Corps?

Gen. LAWTON. At Fort Monmouth? I was in the Pentagon as deputy chief signal officer, and four years before that I was the comptroller for the signal officer in the Pentagon.

The CHAIRMAN. I know it is rather difficult for a man to evaluate his own work, but do you think that you are making some progress in cleaning up that mess over there?

Gen. LAWTON. In the chief signal officer's office, that was done before I left. It was cleaned up, the same board of three officers.

The CHAIRMAN. I mean in Fort Monmouth and Evans Laboratory.

Gen. LAWTON. Oh, yes, I am satisfied that Fort Monmouth is fit, and I am also satisfied there isn't a month going by but what I find an officer and a civilian, and this is a continuing thing. You see, I have got eight thousand civilians and twelve hundred officers.

The CHAIRMAN. Who is doing the suspending of these security risks? Is that your function?

Gen. LAWTON. No, it can be done on a lower level on this graded scale I talk about. Now, if the man doesn't like it and he thinks it is unjust, he can appeal to me to go to a grievance board.

The CHAIRMAN. I was wondering who we could give credit to for the eight or ten suspensions that we had over the last month.

Gen. LAWTON. I am the only one who can suspend them.

The CHAIRMAN. So that those suspensions are due to that? Is that correct?

Gen. LAWTON. Yes, sir, and you can't give that to me. I only know that indirectly.

Mr. COHN. How about Dr. Gruenfest?

Gen. LAWTON. I never heard of him.

Mr. COHN. Is that the first you have heard of him?

Gen. LAWTON. Yes.

Mr. COHN. Gruenfest is the name.

Gen. LAWTON. No.

Mr. COHN. This is the first you heard about him?

Gen. LAWTON. He is not at Monmouth, I hope.

Mr. COHN. He was there.

When do you think that you could get up to date on this and have your people brief you on this stuff and come back here?

Gen. LAWTON. You are talking about this document? Well, what I will do, I will send somebody—I will be in the Signal Corps intelligence with them in the morning, and I will start a search, and they should have something.

Mr. COHN. They talked to you about it this morning?

Gen. LAWTON. You have talked to them?

Mr. COHN. No, you said you talked to them.

Gen. LAWTON. I never heard of this thing before.

Mr. COHN. Here is the point. On the thing they talked to you about this morning, plus what we have called to your attention, why don't you make it both?

Gen. LAWTON. I will make it both.

The CHAIRMAN. Could you do this: I know you have a long ride out there, and it is 9:30 now. You have a two-hour ride to get back to the base.

Gen. LAWTON. I know where my people are, and I don't mind working nights. If you want this in the morning, as far as this air force report that I have got at my station, I can get that and bring it back up here at nine or ten o'clock tomorrow morning.

The CHAIRMAN. If you could do this, General: If you could get all of the information you could on this—I hate to impose upon you too much, but I think we both feel the same about this—if you could come back tomorrow afternoon, good. And if you find that you do not have sufficient information to come back tomorrow, would you call us, Courtland 77100. Have your aide call us and tell us what time you could come back Friday.

Mr. COHN. If you can make it tomorrow afternoon, good. If not, Friday morning would be all right.

The CHAIRMAN. Have your aide let us know whether it will be tomorrow or Friday.

After each session we give the press a briefing on what has been said, and normally the names of the witnesses are not given to the press. However, you are famous enough a man so that they knew that you are coming. Now, I am going to give them a brief resume of this, and not give them much information, but merely point out that you feel a lot of progress is being made, and especially in recent weeks; and that the documents having to do with the secret Signal Corps material found in Pirma Laboratory or, let us say, in the Soviet Zone, has not been brought to your attention; that we gave you all of the information we had on that, and you intend to make a search for the material, to contact the Pentagon and see where it is, and you are coming back Friday. I think that that is sufficient.

If you would care to stay here and listen to what I tell them, you are perfectly welcome to do it, and to add anything to it you care to.

Gen. LAWTON. I will add nothing. I will be glad to listen to you.

The CHAIRMAN. Otherwise, if your aide wants a copy, also, of the testimony here to go over for you, that will be available.

[Whereupon, at 9:30 p.m., the hearing was recessed until 10:30 a.m., Thursday, October 15, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE—Following this executive session, Senator McCarthy told reporters that the recently executed Julius Rosenberg had formed a Communist spy ring at Fort Monmouth, while working there as a technician in 1942 and 1943. McCarthy's chief counsel, Roy Cohn, had served on the staff of the U.S. Attorney for New York and had assisted in Rosenberg's prosecution. Cohn drew on that experience while investigating subversion at Fort Monmouth.

At Rosenberg's trial, Max Elitcher had admitted having been a member of the Communist party and accused Rosenberg, his City College classmate, of having tried to recruit him as a spy. During World War II, Elitcher had worked with Morton Sobell at the Navy Bureau of Ordnance, and said he had been present when Sobell passed film to Rosenberg. Another witness at the trial, William Perl (Mutterperl), had been a member of the Young Communist League with Rosenberg, Sobell, and Joel Barr. Perl testified that following Rosenberg's arrest in 1950, Barr's fiancée, Vivian Glassman, had visited him in Cleveland with a check for \$2,000 and urged him to leave the country.

Marcel Ullmann (1905–1992) testified in a public hearing on December 10, 1953. On December 8, the U.S. District Court in New York denied an injunction filed by Eleanor Glassman Hutner to prevent the subcommittee from calling her to testify in open session; however, she never testified publicly. Vivian Glassman Pataki, Samuel I. Greenman (1915–1991), Ira J. Katchen (1900–1987), Max Elitcher, Eugene Hutner (1921–1990), Col. John V. Mills, Maj. James J. Gallagher, Benjamin Zuckerman, and Benjamin Bookbinder, did not testify in public.]

THURSDAY, OCTOBER 15, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:40 a.m., pursuant to recess, in room 36 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, research assistant to Senator Potter.

Present also: John Adams, counselor to the secretary of the Department of the Army.

The CHAIRMAN. Raise your right hand and be sworn.

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PATAKI. I do.

**TESTIMONY OF VIVIAN GLASSMAN PATAKI (ACCOMPANIED BY
HER COUNSEL, VICTOR RABINOWITZ)**

Mr. COHN. For the record, the name of counsel is Victor Rabinowitz.⁶

Could we have your full name?

Mrs. PATAKI. Vivian Pataki, P-a-t-a-k-i.

Mr. COHN. Where do you reside?

Mrs. PATAKI. 343 East 8th Street, New York City.

Mr. COHN. What is your occupation?

Mrs. PATAKI. I am a social worker.

Mr. COHN. Where do you work?

Mrs. PATAKI. At the moment I am not employed.

Mr. COHN. What was your last employment?

Mrs. PATAKI. I was doing research work at New York University, Research Center for Mental Health.

Mr. COHN. When was that?

Mrs. PATAKI. That isn't right. I had worked since then.

Mr. COHN. When were you with New York University?

Mrs. PATAKI. From about February of 1953 until about June of 1953, and I am not exactly sure of the dates.

Mr. COHN. What did you do after June of 1953?

Mrs. PATAKI. Then I worked at a day camp.

Mr. COHN. Where is that?

Mrs. PATAKI. It was out in Middle Village, Queens Village, in Long Island.

Mr. COHN. What was the name of that?

Mrs. PATAKI. Belle Park Manor Terrace.

Mr. COHN. Now, that was the last position you held?

Mrs. PATAKI. That is right.

Mr. COHN. What did you do directly before going with NYU in February of 1953?

Mrs. PATAKI. I was unemployed for a while prior to that, I would say about a year.

Mr. COHN. And prior to that?

Mrs. PATAKI. Prior to that I worked at Long Island College Hospital.

Mr. COHN. Doing the same type of work?

Mrs. PATAKI. Psychiatric casework, yes.

Mr. COHN. Let me ask you this: What is your husband's name?

Mrs. PATAKI. Ernest Pataki.

Mr. COHN. He resides at the same residence?

Mrs. PATAKI. Yes, sir.

Mr. COHN. Do you have any brothers or sisters?

Mrs. PATAKI. Yes, I do.

Mr. COHN. Could we have their names?

Mrs. PATAKI. I have a brother Milton Glassman, and I have a sister Eleanor Hutner, H-u-t-n-e-r, and I have a sister Gladys Boudin, B-o-u-d-i-n, and I have another sister, Hortense Skolnick, S-k-o-l-n-i-c-k.

⁶Victor Rabinowitz was a member of the Communist party from 1942 until 1961. His law office, Neuburger, Shapiro, Rabinowitz, and Boudin, represented the Federation of Architects, Engineers, Chemists, and Technicians, a CIO union, and its members often called on him for representation when they were subpoenaed by the subcommittee. See Victor Rabinowitz, *Unrepentant Leftist: A Lawyer's Memoir* (Urbana: University of Illinois Press, 1996).

Mr. COHN. Was there ever a time when you worked for the Army Signal Corps?

Mrs. PATAKI. Yes, I did.

Mr. COHN. When did you work for the Army Signal Corps?

Mrs. PATAKI. From about June of 1942 until about August or September of 1943.

Mr. COHN. Was that the only government position you ever held?

Mrs. PATAKI. Yes, it is.

Mr. COHN. And where were you stationed when you worked for the Signal Corps?

Mrs. PATAKI. At Fort Monmouth.

Mr. COHN. Where did you live when you were down at Fort Monmouth working at Fort Monmouth?

Mrs. PATAKI. In Long Branch.

Mr. COHN. Do you recall the address?

Mrs. PATAKI. No, not offhand.

Mr. COHN. Where at Fort Monmouth did you work, in what particular section or part of it?

Mrs. PATAKI. I had worked in two places. One was at Fort Monmouth proper, which was called the Fort Monmouth Laboratories, I believe; and then I worked subsequent to that at a place called Eatontown, which was also one of the sections of the Signal Corps proper out there.

Mr. COHN. What kind of work did you do at Eatontown?

Mrs. PATAKI. At Eatontown I was teaching, and I was called a job relations trainer.

Mr. COHN. Who would you instruct? People in the Signal Corps, or what?

Mrs. PATAKI. It covered both civilian and army personnel, I would say. It was primarily people in supervisory capacity.

Mr. COHN. Down at Fort Monmouth, is that right?

Mrs. PATAKI. I believe it was Eatontown, and I don't recall.

Mr. COHN. At the Signal Corps installation?

Mrs. PATAKI. Yes, sir, and I don't recall whether the people I taught came specifically from Eatontown or whether they had come from the Fort Monmouth Laboratories, but it was that kind of thing.

Mr. COHN. You would teach, and what would you do at the end of the course? Did they get marks or ratings, or what?

Mrs. PATAKI. It wasn't a question of ratings. It was a course on how to work with personnel, and it was a personnel course. Since many of the people had recently taken on supervisory jobs, I was trained to train them how to get along with their staff.

Mr. COHN. Now, getting back to the first thing you did, you say you worked at the Fort Monmouth Laboratories, and what type of work did you do there?

Mrs. PATAKI. There I did routine examination, I would say, and testing of equipment.

Mr. COHN. And inspections?

Mrs. PATAKI. It wasn't exactly inspections.

Mr. COHN. You say it was testing?

Mrs. PATAKI. Testing, for example, flashlights to determine if one flashlight would hold up under certain conditions better than another type of flashlight, as an example.

Mr. COHN. Did you work at the Evans Laboratory at all, one of the Monmouth Laboratories?

Mrs. PATAKI. No, sir.

Mr. COHN. Which laboratory did you work at?

Mrs. PATAKI. The Fort Monmouth Laboratory, which was called Fort Monmouth Laboratory, I believe; and then the Eatontown Laboratory, which was an adjunct of it.

Mr. COHN. Did you know the Evans Laboratory? Isn't that what you mean when you refer to Fort Monmouth Laboratory, do you know?

Mrs. PATAKI. I don't know. It is my recollection that that was actually called the Fort Monmouth section of the total Fort Monmouth Laboratory, but I am not sure, because it is a long time ago.

The CHAIRMAN. Do I understand you to say, when you refer to the Fort Monmouth Laboratory, you mean Evans Laboratory?

Mrs. PATAKI. I am not sure that that section—it was the initial unit setup, I believe, and that is what we commonly referred to as the Fort Monmouth Laboratory, which was almost sort of one part of the total Fort Monmouth Laboratory, which then included several other laboratories. But I am not sure whether that was later called the Evans, or if it was always called the Evans.

The CHAIRMAN. It was a part that might have covered or had relationship to the whole setup, is that right? It was not a separate thing?

Mrs. PATAKI. The laboratory was one unit, just as Squire, for example, and Coles, and Eatontown, and they were all part of the total overall United States Signal Corps Fort Monmouth Laboratories, but the one that I had gone to initially I believe was the one that most of us came to when we were first hired.

Mr. COHN. When you were there, did you have access to any classified material or information or equipment?

Mrs. PATAKI. I am really not in a position to tell you the nature of the material. I can only tell you that it was material which was common to everybody, and it was routine material which just about everybody, I would say, had access to, and to——

Mr. COHN. Everybody working down there?

Mrs. PATAKI. Yes, naturally everybody working down there.

Mr. COHN. You couldn't walk in from the outside and go around fooling around with that equipment?

Mrs. PATAKI. No, because each of us had a badge.

Mr. COHN. You had clearance and a badge?

Mrs. PATAKI. I guess clearance and a badge, and you entered because you were an employee.

Mr. COHN. While you were working at the Signal Corps installation at Fort Monmouth, were you a member of the Communist party?

Mrs. PATAKI. I don't wish to answer that question, on the basis of the Fifth Amendment.

Mr. COHN. Because the answer might tend to incriminate you?

Mrs. PATAKI. On the ground no person may be compelled to bear witness against himself.

Mr. COHN. Now, did Julius Rosenberg have anything to do with your obtaining a position at the Signal Corps?

Mrs. PATAKI. I do not wish to answer that question, on the basis of the Fifth Amendment.

The CHAIRMAN. Do you think a truthful answer to that question might tend to incriminate you?

Mrs. PATAKI. Yes, I think that the answer might tend to incriminate me.

Mr. COHN. Now, were you in contact with Julius Rosenberg during the period of your employment with the Signal Corps?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you see Rosenberg, or did you associate with Rosenberg down at Fort Monmouth?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Were you engaged in espionage with Rosenberg at that time?

Mrs. PATAKI. I do not wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Now, did you ask certain persons working at Fort Monmouth when you were there, to obtain classified documents and give them to Julius Rosenberg?

Mrs. PATAKI. I do not wish to answer that question on the ground of the Fifth Amendment.

Mr. COHN. Did you know a man named Joel Barr when you were working with the Signal Corps?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Were you and Barr and Rosenberg members of an espionage ring operating at that time?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you yourself give to Rosenberg any classified information concerning radar which you had obtained from Fort Monmouth?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Now, where did you go when you left Monmouth?

Mrs. PATAKI. I returned to New York City.

Mr. COHN. Did you attempt to obtain employment for anyone other than yourself at the Signal Corps?

Mrs. PATAKI. I am not sure I understand the question.

Mr. COHN. Did you help anybody else get a job? Did you help anybody else get a job at Monmouth, in the Signal Corps? You can confer with Mr. Rabinowitz any time you want to.

[The witness conferred with her counsel.]

Mrs. PATAKI. I don't remember ever helping anybody obtain a job at the Signal Corps.

Mr. COHN. While you were working at the Signal Corps, were you acquainted—

The CHAIRMAN. I did not hear the answer to that question.

Mrs. PATAKI. I said I don't recall helping anybody obtain any kind of a job.

The CHAIRMAN. Did you ever recommend to anyone that they apply for a job at the Signal Corps?

Mrs. PATAKI. I don't recall ever doing that.

The CHAIRMAN. Did anyone who applied for a job there use you as a reference?

Mrs. PATAKI. I couldn't say, because somebody might have, you see, without my knowledge, for example.

The CHAIRMAN. Do you know of any espionage agents who got a job at the Signal Corps after you got your job there?

Mrs. PATAKI. I don't wish to answer that question on the grounds of the Fifth Amendment.

The CHAIRMAN. When you refuse, you cannot state you do not wish; you must refuse to answer on the ground a truthful answer might tend to incriminate you.

Mrs. PATAKI. Yes, sir.

The CHAIRMAN. Do you know of any espionage agents working in the Signal Corps as of this time?

Mrs. PATAKI. I refuse to answer on the basis of the Fifth Amendment.

Mr. COHN. When you were working down there, did you know a man by the name of Aaron Coleman?

Mrs. PATAKI. I don't wish to answer that question, I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you know a man by the name of Carl Greenblum?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. To your knowledge, was Mr. Coleman part of an espionage ring?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Did you ever receive classified documents from Mr. Coleman?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you ever attend a Communist party meeting with Mr. Rosenberg and Mr. Coleman?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you know a man named Max Epstein at Fort Monmouth?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Were you ever in the company of Rosenberg, Epstein, and Greenblum?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Now, your sister Eleanor was working down there when you were there, was that right? She was working at Fort Monmouth?

Mrs. PATAKI. Yes, she was at Fort Monmouth.

Mr. COHN. Was she working in the same laboratory you were working in, or where?

Mrs. PATAKI. Yes, she was working in the same laboratory; not at Eatontown, I believe, but I believe she was at Fort Monmouth.

Mr. COHN. Was your sister at that time a member of the Communist party?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Was she engaged in espionage along with you?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Now, after you left Monmouth, Mrs. Pataki, where did you go?

Mrs. PATAKI. I came back to New York City.

Mr. COHN. What did you do?

Mrs. PATAKI. I took a job as a psychiatric case worker in practice.

Mr. COHN. Where?

Mrs. PATAKI. Brooklyn State Hospital.

Mr. COHN. How long were you there, from 1943 to when?

Mrs. PATAKI. Until about January of 1945.

Mr. COHN. Where did you go in January of 1945?

Mrs. PATAKI. I went to school for a time.

Mr. COHN. Where is that?

Mrs. PATAKI. The New York School of Social Work, Columbia.

Mr. COHN. How long were you there? 1945 to when?

Mrs. PATAKI. To 1946.

Mr. COHN. Where did you go in 1946?

Mrs. PATAKI. I took a job for the Jewish Board of Guardians as a psychiatric caseworker.

Mr. COHN. How long were you there?

Mrs. PATAKI. I was there from about April until about October or November of 1946, I believe.

Mr. COHN. Where did you go then?

Mrs. PATAKI. I took a job with the United Seamen's Service.

Mr. COHN. How long were you with the United Seamen's Service?

Mrs. PATAKI. About four months.

Mr. COHN. You were there about four months?

Mrs. PATAKI. I would say from about October to about February, and I am not exactly sure of the dates, but that would be approximately.

Mr. COHN. Where did you go from there?

Mrs. PATAKI. When I worked for the United Seamen's Service I was stationed at the National Maritime Union, but I was employed by the United Seamen's Service. After I was retrenched or laid off because they could no longer employ so many people, I remained at the National Maritime Union, but at that time I became employed by the National Maritime Union itself.

Mr. COHN. And how long were you with the National Maritime Union?

Mrs. PATAKI. I remained with them for about a year, until about February, I believe, of 1948.

Mr. COHN. Where did you go then?

Mrs. PATAKI. United Service for New Americans, as a caseworker.

Mr. COHN. How long were you there?

Mrs. PATAKI. Almost three years.

Mr. COHN. That covers that period?

Mrs. PATAKI. Yes, sir.

Mr. COHN. After Julius Rosenberg was arrested for espionage, did you go to Cleveland, Ohio, and, in behalf of this espionage ring, give \$5,000 to a man named William Perl, and ask him to leave the country before he was apprehended by the FBI?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did Rosenberg ask you to go to Cleveland and tell Perl to get out of the country?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you visit Rosenberg and Mrs. Rosenberg at their apartment shortly prior to their arrest?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Were you engaged in espionage with Julius and Ethel Rosenberg?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Do you know David Greenglass?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Do you know Alfred Sarant, S-a-r-a-n-t?

Mrs. PATAKI. I refuse to answer that question on the basis of—

The CHAIRMAN. How long have you known Ethel Rosenberg?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Do you think she did anything worse than you have done by way of espionage?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. If the Rosenbergs were properly executed, do you feel that you, being a part of the same ring, in justice deserve the same fate they got?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did Julius Rosenberg ask you to obtain this position at Fort Monmouth?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you meet with Julius Rosenberg in New York in April of 1943 when he was working for the Signal Corps, and did he at that meeting suggest to you that you file an application for employment with the Signal Corps?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you know Harry Gold?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you know Max Elitcher?

Mrs. PATAKI. I refuse to answer that question on the same grounds.

Mr. COHN. You are aware of the fact that William Perl has testified that you came to Cleveland and went to his home, and gave

him \$5,000 and suggested to him that he leave the country? I am just asking if she is aware of the fact.

Mr. RABINOWITZ. I wanted to make it clear to the witness that it went to her awareness of his testimony.

Mr. COHN. You can confer with Mr. Rabinowitz.

[The witness conferred with her counsel.]

Mrs. PATAKI. I have no personal knowledge of the testimony that he gave.

Mr. COHN. Did you not read anyplace or have it related to you that Mr. Perl had stated that you came to Cleveland and entered his room and wrote out instructions for him on a piece of paper, and offered him \$5,000 to leave the country?

[The witness conferred with her counsel.]

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. I would like you to recall for us, if you can, when you were working down at Monmouth—you say you lived at Long Branch. Can you recall the street address for us?

Mrs. PATAKI. I really can't recall, because I had lived at several places, as a matter of fact, and there wasn't just one street address. I lived at about four places. I can't recall exactly, because I had lived at several places at Fort Monmouth, and I would say in about four or five places. I moved as soon as a better housing arrangement became available.

Mr. COHN. With whom did you live? Did you have any roommates or anything like that?

Mrs. PATAKI. I lived in boarding houses for a while.

Mr. COHN. Did you have any roommates that were also working at Monmouth?

Mrs. PATAKI. Yes.

Mr. COHN. Can you give us the names of those that you can recall?

Mrs. PATAKI. I usually shared a room with my sister. That was my roommate.

Mr. COHN. Was there anybody else?

Mrs. PATAKI. I am sure I lived with other people around, but as a roommate I shared it with my sister.

Mr. COHN. Can you recall any of the other people who were around?

[The witness conferred with her counsel.]

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Who was your supervisor—

The CHAIRMAN. You are refusing to give us the names of the people living in the same house with you?

Mrs. PATAKI. Yes, I do.

The CHAIRMAN. You will be ordered to give us those names, to give the names of the people who lived in that boarding house.

[The witness conferred with her counsel.]

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. We will have the record show that the witness refuses to give the names of people who lived in the same boarding house with her, and she was ordered to answer the question. She

thereupon conferred with counsel, Mr. Rabinowitz, and refused to answer the question.

Mr. COHN. Who was your supervisor at Fort Monmouth?

Mrs. PATAKI. At one point I believe it was Professor Merrill, and I am not sure if he was considered my supervisor.

Mr. COHN. He was one of the people up the chain?

Mrs. PATAKI. But I worked for him, you see. Now, whether I was considered to be working under one of the army people there, or one of the section chiefs, I don't recall.

Mr. COHN. Did you know Professor Merrill before you went to Monmouth?

Mrs. PATAKI. No, sir.

Mr. COHN. You just met him down there?

Mrs. PATAKI. Yes, I met him when I came to Monmouth, and I was assigned to him.

Mr. COHN. Have you seen him since you left there?

Mrs. PATAKI. No.

Mr. COHN. You worked with him while you were there?

Mrs. PATAKI. For part of the time, while I worked at the Fort Monmouth Laboratories, and then when I was switched to Eatontown, I worked for a captain.

Mr. COHN. Do you remember his name?

Mrs. PATAKI. I am really not sure, and I don't recall his name, but I do know that he was one of the army people.

Mr. COHN. Was there anybody else you recall besides Professor Merrill and this captain who was your supervisor?

Mrs. PATAKI. No, I don't recall.

Mr. COHN. Do you know Aaron Coleman?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Do you know Carl Greenblum?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. When did you last see Mrs. Morton Sobell?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Have you been in indirect communication with Sobell since he has been in Alcatraz?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Did you receive instructions from the Communist party concerning what your testimony should be here today?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

Mr. COHN. Are you a member of the Communist party today?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. I have just one or two questions. To your knowledge, does the Communist party advocate the overthrow of this government by force and violence?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. You are instructed that you will consider yourself under subpoena, and you will keep in touch with your lawyer daily so that we can ask him to have you available.

We are not going to take the time trying to find you, but we will merely contact your lawyer, and we understand you will contact him daily so if we contact him one day to have you here the next day, you will be available.

Mr. RABINOWITZ. That is satisfactory to me, except, Senator, may I just request, in so far as it is possible, that we be given as much notice as possible, more for my convenience than the witness.

Mr. COHN. If you have any problem, we will do our best to work it out.

There are two things we would like her to recall. Number one, any of the street addresses where she resided at Monmouth, and any of the other people who were her supervisors there.

Mr. RABINOWITZ. Certainly.

The CHAIRMAN. Raise your right hand.

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HUTNER. I do.

TESTIMONY OF ELEANOR GLASSMAN HUTNER (ACCOMPANIED BY HER COUNSEL, VICTOR RABINOWITZ)

Mr. COHN. May we have your full name?

Mrs. HUTNER. Eleanor Glassman Hutner, H-u-t-n-e-r.

Mr. COHN. Where do you reside?

Mrs. HUTNER. At 144 Henry Street in Brooklyn.

Mr. COHN. Henry Street?

Mrs. HUTNER. That is right.

Mr. COHN. In Brooklyn?

Mrs. HUTNER. Yes, sir.

Mr. COHN. And you are a sister of Vivian Pataki who was just in here?

Mrs. HUTNER. Yes.

Mr. COHN. What do you do at the present time?

Mrs. HUTNER. I am a housewife.

Mr. COHN. Did you ever do any work other than that?

Mrs. HUTNER. Yes, I have done social work.

Mr. COHN. Where were you employed?

Mrs. HUTNER. My last employment was at the Bureau of Child Guidance for the Board of Education.

Mr. COHN. New York City?

Mrs. HUTNER. Yes, sir.

Mr. COHN. When was that?

Mrs. HUTNER. Well, I started employment there at the end of January 1952, and I resigned in June, and I came back after the summer recess to finish up some work. I came back after the summer recess to finish up my work.

Mr. COHN. When did you finish up?

Mrs. HUTNER. My last day was last Thursday.

Mr. COHN. Until last Thursday you were with the Bureau of Child Guidance of the New York Board of Education?

Mrs. HUTNER. Yes, sir.

Mr. COHN. And during the time you were with the Bureau of Child Guidance of the Board of Education, were you a member of the Communist party?

Mrs. HUTNER. I refuse to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. Now, let me ask you this: What were the circumstances of your leaving there on Thursday?

Mrs. HUTNER. I resigned because I wanted to stay home and raise a family.

Mr. COHN. Did you finish your work last Thursday? Is that right?

Mrs. HUTNER. Yes, sir.

The CHAIRMAN. You were not asked to resign—

Mrs. HUTNER. No.

The CHAIRMAN [continuing]. Because of any Communist activities?

Mrs. HUTNER. I was asked to remain on the job as late as last Thursday. They asked me to stay part-time if I wanted to stay.

Mr. COHN. Who asked you to stay?

Mrs. HUTNER. The head of the department.

Mr. COHN. What is that gentleman's name?

Mrs. HUTNER. It came through—I didn't speak to her directly, but through a telephone conversation with a person taking over my work, and the head of the department is Miss Goldman, who is the head of the social work, the acting head of the social work department within the bureau.

The CHAIRMAN. You say Miss Goldman asked you to stay on in the Board of Education?

Mr. COHN. She sent word to you?

Mrs. HUTNER. Yes.

The CHAIRMAN. Did she know you were a member of the Communist party?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you ever tell her that you were a member of the Communist party?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you ever attend Communist party meetings with her?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. On the ground a truthful answer might tend to incriminate you?

Mrs. HUTNER. On the ground a witness may not be compelled to answer questions against herself.

The CHAIRMAN. Do you feel if you told us the truth as to whether or not you attended Communist meetings with Miss Goldman that that truthful answer would tend to incriminate you?

Mrs. HUTNER. Yes, sir.

Mr. COHN. Where were you before you were with the Bureau of Child Guidance?

Mrs. HUTNER. I worked most recently before that at the Beth Israel Hospital.

Mr. COHN. Where were you before that time?

Mrs. HUTNER. I was with the Bureau of Child Guidance for a short period before that.

Mr. COHN. And then before that?

Mrs. HUTNER. Before that, with the Jewish Board of Guardians.
 Mr. COHN. And before that?
 Mrs. HUTNER. Before that I was in social work school at Smith College.
 The CHAIRMAN. Did you teach there?
 Mrs. HUTNER. No, I was a student.
 The CHAIRMAN. Did you have any teachers who were known to you as members of the Communist party?
 Mrs. HUTNER. I refuse to answer that question.
 The CHAIRMAN. Did you know any teachers that you thought were not members of the Communist party?
 Mrs. HUTNER. I refuse to answer that question.
 The CHAIRMAN. What course did you take at Smith?
 Mrs. HUTNER. I took a course of psychiatric casework.
 The CHAIRMAN. One course?
 Mrs. HUTNER. That was the over-all nature of the course, and there were a number of courses there.
 The CHAIRMAN. Who were your teachers?
 Mrs. HUTNER. If you refresh my memory, I can.
 The CHAIRMAN. I did not go to school with you.
 Mrs. HUTNER. There was a Miss Garrett.
 The CHAIRMAN. G-a-r-r-e-t-t?
 Mrs. HUTNER. Yes, sir.
 The CHAIRMAN. And the names of your other teachers?
 Mrs. HUTNER. I beg pardon?
 The CHAIRMAN. Any other teachers? How many teachers did you have, roughly?
 Mrs. HUTNER. I imagine about fifteen or twenty.
 Mr. RAINVILLE. You can only remember one out of fifteen or twenty?
 Mrs. HUTNER. I will have to think a little further.
 The CHAIRMAN. Did you ever work at the Signal Corps Laboratory?
 Mrs. HUTNER. Yes, sir, I did.
 The CHAIRMAN. During what period of time?
 Mrs. HUTNER. I believe it was the end of June 1942 until December of 1943.
 The CHAIRMAN. June of 1942 to December of 1943?
 Mrs. HUTNER. Yes, sir.
 The CHAIRMAN. At the time you were working in the Signal Corps Laboratories, were you engaged in espionage?
 Mrs. HUTNER. No.
 The CHAIRMAN. You were not?
 Mrs. HUTNER. No.
 The CHAIRMAN. Were you a member of the Communist party at that time?
 Mrs. HUTNER. I refuse to answer that question.
 The CHAIRMAN. Did you know Julius Rosenberg at that time?
 Mrs. HUTNER. I refuse to answer that question.
 The CHAIRMAN. Did Julius Rosenberg ever ask you to obtain any classified material for him?
 Mrs. HUTNER. I refuse to answer that question.
 The CHAIRMAN. Did you ever supply classified material to Julius Rosenberg?

Mrs. HUTNER. I never supplied any information to any unauthorized person.

The CHAIRMAN. Did you ever supply any information to Julius Rosenberg?

Mrs. HUTNER. I never supplied any information to any unauthorized person.

The CHAIRMAN. That is not the question. You see, a Communist may have a different idea of what an authorized person is than we have, and I have asked you a simple question: Did you ever supply information to Julius Rosenberg? And by "Julius Rosenberg," I mean the one who was recently executed as a Communist spy. Do you understand the question?

Mrs. HUTNER. Will you repeat the question?

The CHAIRMAN. I will be glad to repeat it. Did you ever supply information to Julius Rosenberg?

Mrs. HUTNER. No, I didn't.

The CHAIRMAN. Did you visit at his home?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you see him a number of times while you were working in the Signal Corps Laboratory?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you see his wife, Ethel Rosenberg, while you were working at the Signal Corps Laboratories?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you ever supply Ethel Rosenberg with any information?

Mrs. HUTNER. No, I didn't.

The CHAIRMAN. At the time you were working in the Signal Corps Laboratories and visiting at the Rosenberg home, did you know that Julius and Ethel Rosenberg were part of an espionage ring?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Do you now know that Julius and Ethel Rosenberg were part of an espionage ring?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Was your sister a part of the Rosenberg espionage ring?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did your sister ever tell you that she was supplying secret information from the Signal Corps Laboratory to the Rosenbergs?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you know William Perl?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Who was your immediate superior in the Signal Corps Laboratory?

Mrs. HUTNER. Lieutenant Iannarone, I-a-n-n-a-r-o-n-e.

The CHAIRMAN. He was not a member of the Communist party, to your knowledge?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Was he your only superior?

Mrs. HUTNER. When I worked in his section, I believe there was a Mr. Finkelstein in that section.

The CHAIRMAN. Did you know Mr. Aaron Coleman?

Mr. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you know Mr. Carl Greenblum?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. You realize, of course, when you give the names of the lieutenant and Mr. Finkelstein and say you knew them, and then refuse to say whether you knew Aaron Coleman or Carl Greenblum, who you of course knew, you are creating the impression that there is something illegal about your contact with Coleman and Greenblum. That is the only conclusion we can arrive at. I just wanted you to be aware of that.

Did you attend Communist party meetings with Coleman?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you ever give Mr. Coleman any classified material?

Mrs. HUTNER. I have answered before that I never gave anyone any material.

The CHAIRMAN. Did you give Mr. Coleman any?

Mrs. HUTNER. No, I didn't.

The CHAIRMAN. Did you ever take any classified material away from the laboratory?

Mrs. HUTNER. No, I didn't.

The CHAIRMAN. Did you ever relate to anyone the contents of any classified document?

Mrs. HUTNER. No, I didn't.

The CHAIRMAN. You never discussed classified material with your sister?

Mrs. HUTNER. No, I did not.

The CHAIRMAN. Did you know Mr. Epstein?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Did you ever turn any classified material from any government agency over to the Communist party?

Mrs. HUTNER. I did not turn over any information to anyone.

The CHAIRMAN. To anyone in the Communist party?

Mrs. HUTNER. No, sir.

The CHAIRMAN. To your knowledge, does the Communist party advocate the overthrow of this government by force and violence?

Mrs. HUTNER. I refuse to answer that question.

Mr. RAINVILLE. May I ask one question there?

You say you never turned over any material to an agent of the Communist party. Would you know such an agent to turn material over to if you had it?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. We will want you back again, Mrs. Hutner. Your maiden name was what?

Mrs. HUTNER. Glassman.

The CHAIRMAN. When were you married?

Mrs. HUTNER. In January of 1952.

The CHAIRMAN. What does your husband do?

Mrs. HUTNER. He is a teacher of art.

The CHAIRMAN. Where does he teach?

Mrs. HUTNER. At Morris High School.

The CHAIRMAN. Did your husband ever work for the government?

Mrs. HUTNER. I don't know.

The CHAIRMAN. You do not know?

Mrs. HUTNER. No.

The CHAIRMAN. Is your husband a member of the Communist party?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Do you know whether your husband has attempted to recruit his students into the Communist party?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Have you had some of his students at your home?

Mrs. HUTNER. No.

The CHAIRMAN. Have you had Communist cell meetings in your home?

Mrs. HUTNER. I refuse to answer that question.

The CHAIRMAN. Will he be at the high school at this time?

Mrs. HUTNER. I imagine he is.

The CHAIRMAN. What is his first name?

Mrs. HUTNER. Eugene.

The CHAIRMAN. May I say to counsel that if you want, I assume Mr. Hutner will be your client also, and if you want to save him the embarrassment of having a marshal go over and serve him, if you care to call him and ask him to be here, we will refrain from serving a subpoena on him.

Mr. RABINOWITZ. Let me step out and advise with him in ten or fifteen minutes.

The CHAIRMAN. That is all. You will consider yourself under subpoena, and you will contact your counsel daily and let him know exactly where you are so that if we call for you, you will be available.

Mrs. HUTNER. Yes.

The CHAIRMAN. You may step down.

The CHAIRMAN. Will you stand and raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GREENMAN. I do.

TESTIMONY OF SAMUEL I. GREENMAN (ACCOMPANIED BY HIS COUNSEL, IRA J. KATCHEN)

The CHAIRMAN. Your name is what?

Mr. KATCHEN. May I be permitted to—

Mr. GREENMAN. Samuel I. Greenman,

Mr. KATCHEN. My name is Ira J. Katchen, 156 Broadway, Long Branch, New Jersey.

The CHAIRMAN. You have appeared before the committee before, Mr. Katchen, so we will briefly give you the rules covering the conduct of counsel.

Your client can discuss any matter with you at any time he cares to, and if a matter comes up that you consider of sufficient importance that you want a private conference with your counsel, we will arrange a room for that. We do not allow counsel to take any part in the proceedings. If counsel has any objection to the questions or how the hearing is being conducted, he can consult with his client and make the objection through his client.

Mr. KATCHEN. I am sure I will have no objection.

Mr. CARR. Mr. Greenman, you are employed at Fort Monmouth?

Mr. GREENMAN. Yes, sir.

Mr. CARR. At the Evans Laboratory?

Mr. GREENMAN. At the Evans Laboratory.

Mr. CARR. In what position?

Mr. GREENMAN. I am a physicist.

Mr. CARR. And what is your grade?

Mr. GREENMAN. GS-12?

Mr. CARR. Are you assigned to any particular section?

Mr. GREENMAN. I am assigned to the Physical Optics Section.

Mr. CARR. Who is your immediate superior in that section?

Mr. GREENMAN. Mr. Maurice Distell.

Mr. CARR. Where do you live, Mr. Greenman?

Mr. GREENMAN. I live at 855 Woodgate Avenue in Long Branch.

Mr. CARR. That is a bachelor's apartment there?

Mr. GREENMAN. Yes, sir.

Mr. CARR. Is one of your roommates a man named Bernard Martin?

Mr. GREENMAN. Yes, sir.

Mr. CARR. How long have you known Bernard Martin?

Mr. GREENMAN. I have known Mr. Martin for a period of time. I cannot say exactly how long, but let us say arbitrarily about a year before I moved into this house, and I moved in about three years ago.

Mr. COHN. Have you ever attended Communist party meetings?

Mr. GREENMAN. I attended meetings, and this was back about 1936 or 1937, and I belonged to a union then, and the union had meetings, and a couple of those meetings I would say turned into Communist party meetings.

Mr. COHN. What is that?

Mr. GREENMAN. A couple of those meetings turned into Communist party meetings. Not Communist party, excuse me, may I correct that, but Communist meetings.

Mr. COHN. Who else was present at those Communist meetings?

Mr. GREENMAN. I really do not recall, sir.

Mr. COHN. You don't recall anybody?

Mr. GREENMAN. Well, there was one person I recall, and this man's name, as I recalled it the other day, was Sol Portugal, P-o-r-t-u-g-a-l. I don't think that that spelling is exactly correct, but I think it is very close.

The CHAIRMAN. I missed the question. What was the question?

Mr. COHN. A person at the Communist meetings.

Mr. CARR. You say it was a Communist meeting, and when did you discover it was a Communist meeting? At the time?

Mr. GREENMAN. At the start, it was like a double meeting. There would be a union meeting, and then it seemed that there was a Communist meeting, and it would be like a double-session affair.

Mr. CARR. It was a meeting of the United Electrical Workers, jointly with another group?

Mr. GREENMAN. I would not say that it was necessarily with another group, but that the group of people at the meeting, or part of the group.

Mr. CARR. In other words, it started out, as far as you were concerned, as a meeting of the union?

Mr. GREENMAN. I was ostensibly attending union meetings.

Mr. CARR. But within this union, the United Electrical Workers, there was a Communist group?

Mr. GREENMAN. Yes, sir.

Mr. CARR. And they apparently took over this meeting that you attended; is that what you mean to say?

Mr. GREENMAN. Yes, sir.

Mr. CARR. Did you know that the United Electrical Workers had been heavily infiltrated by Communist party members at that time?

Mr. GREENMAN. Well, I learned at the meeting, that was pretty early, and I later learned that the United Electrical and Radio Workers had some Communist people.

Mr. CARR. At that time, to attend a Communist party meeting was not repugnant to you, anyhow, regardless of whether or not you went through a union meeting?

Mr. GREENMAN. I was interested at that time in seeing a union where I was working, and I was interested as much on a selfish basis as anything else. I thought it would do me some good in the sense of better wages, primarily.

The CHAIRMAN. How old are you now?

Mr. GREENMAN. I am thirty-seven.

Mr. CARR. But isn't it a fact that at that time—and this is 1936, roughly 1937?

Mr. GREENMAN. It was about 1936 or 1937.

Mr. CARR. At that time, isn't it true that to attend Communist party meetings was not repugnant to your thinking at that time?

Mr. GREENMAN. No, I wouldn't put it that way. I would say this, that let us say I did not run away from it. I was primarily interested in seeing a union; and that this happened, that it turned into a Communist meeting, did not cause me to run away from it. In other words, if I may qualify it, sir, what I now find, to use a strong term, an abomination, was not an abomination to me then, and there wasn't anything that I found meritorious.

Mr. CARR. Did you attend several of these meetings?

Mr. GREENMAN. I would say there were at least two or three meetings of that type, yes, sir.

Mr. CARR. Now, after the first one, you knew that they were Communist meetings?

Mr. GREENMAN. I would not necessarily know that I was going to a Communist meeting, per se.

The CHAIRMAN. What happened at those meetings? Would you describe what went on at those meetings?

Mr. GREENMAN. At that period, as I recall, the union was trying to build up its membership, and the question of—

The CHAIRMAN. You mean the Communist organization?

Mr. GREENMAN. The union was trying to build up its membership, and I specifically don't recall more details than that, except that I would say that the Communist interest at that time tied into that same objective.

The CHAIRMAN. Well, were Communist speakers there? What did they talk about, and just what happened?

Mr. GREENMAN. Sir, I don't recall such fine details.

The CHAIRMAN. How did you know these were Communist meetings? How did you recognize the Communist meetings?

Mr. GREENMAN. Well, this man that I mentioned before had identified himself as a Communist, and indicated to me that this was the situation.

The CHAIRMAN. He told you this was a Communist party meeting?

Mr. GREENMAN. Yes, sir, and I would like to say that these specific details are not clear to me any more.

The CHAIRMAN. How about this Mr. Portugal, where does he now work?

Mr. GREENMAN. I don't know.

The CHAIRMAN. When did you last see him?

Mr. GREENMAN. About that time, sir.

The CHAIRMAN. Are you married now?

Mr. GREENMAN. No, sir.

The CHAIRMAN. You say you are living at bachelors' quarters, and do some of the other men from the Signal Corps live at the same quarters?

Mr. GREENMAN. Where I live? Yes, sir. Do you want me to name them?

The CHAIRMAN. If you will.

Mr. GREENMAN. It was Bernard Martin, Jack Frolow, Howard Moss, and David Raskin.

The CHAIRMAN. Did you ever have any reason to believe Martin was a Communist?

Mr. GREENMAN. No, sir, I have never had any reason to believe he was a Communist.

The CHAIRMAN. Do you have top secret clearance?

Mr. GREENMAN. To my knowledge, my clearance is secret, sir.

The CHAIRMAN. Does that give you the right to take secret material from the laboratory?

Mr. GREENMAN. No, sir.

The CHAIRMAN. If you wanted to take some secret material home to study, how would you go about getting that?

Mr. GREENMAN. I have avoided that, sir, so that I can only say in general the procedure, as I understand it, is to show what your need is for material, and apply for a pass, and I do not know that the rules permit you today to take the material home.

The CHAIRMAN. Did you work in the laboratory during the war? When did you start work there?

Mr. GREENMAN. In 1942.

The CHAIRMAN. One of the witnesses testified yesterday that during the war there was no check of any kind upon secret material, and anyone who had clearance could take material in and out at will; and he said since the war was over they first had cards, or rather, a pass, which the individual signed himself, and someone in the section countersigned it. He said as of today if you have a pass showing you have secret clearance, that you can take secret material out. Is that correct or not?

Mr. GREENMAN. Not exactly correct, sir. To my best recollection, there has always been at sometime a requirement that you have some kind of written authorization, pass if you will call it that, to remove material. Generally people are reluctant—

The CHAIRMAN. Did you know Aaron Coleman?

Mr. GREENMAN. I met Aaron Coleman, I know him slightly.

The CHAIRMAN. Have you visited at his apartment or home?

Mr. GREENMAN. No, sir.

The CHAIRMAN. Did you know him in 1946?

Mr. GREENMAN. No, sir.

The CHAIRMAN. When did you first get to know him?

Mr. GREENMAN. When I came to work at Evans. I came to work at Evans about four and a half years ago.

The CHAIRMAN. Four and a half years ago?

Mr. GREENMAN. Yes, sir, and I would say within—whether it was when I first came there, or within a year, or a year and a half of that time, I met him very briefly, and that was the only contact I have had with Aaron Coleman until this summer.

The CHAIRMAN. What branch of the military did you serve in?

Mr. GREENMAN. I have no military service, sir.

The CHAIRMAN. Did you get deferred?

Mr. GREENMAN. At the laboratories.

The CHAIRMAN. Because of the work you were doing?

Mr. GREENMAN. Because of the work, yes, sir.

The CHAIRMAN. Where did you work before 1942?

Mr. GREENMAN. I worked at the Bureau of Standards.

The CHAIRMAN. Were you deferred because of your work at the Bureau of Standards?

Mr. GREENMAN. No, sir. I applied to the Signal Corps for a job about the fall of 1941, I believe.

The CHAIRMAN. So that you got your deferment because of the job at the Signal Corps?

Mr. GREENMAN. No, I think that I got the job, the deferment after I got to work in the Signal Corps.

The CHAIRMAN. This is a matter of no great importance, but I am curious to know how you were deferred until you got the job with the Signal Corps?

Mr. GREENMAN. Well at that time, as I recall, sir, I don't think there were any heavy calls, any heavy draft calls, and they were following a number system, I believe. They did not call me.

The CHAIRMAN. Did you ever know Julius Rosenberg?

Mr. GREENMAN. No, sir.

The CHAIRMAN. How about Greenglass?

Mr. GREENMAN. No, sir.

The CHAIRMAN. Harry Gold?

Mr. GREENMAN. No, sir.

The CHAIRMAN. You say you never removed any classified material from the laboratory?

Mr. GREENMAN. I didn't say that, sir.

The CHAIRMAN. Did you?

Mr. GREENMAN. I have had to go on trips, and I know that at times on these trips, sometimes dealing in classified material, I might have to take something with me.

The CHAIRMAN. So that on occasion, in line with your work, you had to take classified material along with you?

Mr. GREENMAN. Yes, sir.

The CHAIRMAN. Did you ever turn any classified material over to anyone other than an authorized employee in the Signal Corps?

Mr. GREENMAN. No, sir. Wait a minute, excuse me, I have. I don't know that I have turned over classified material, but I have discussed classified information with people who were authorized and given clearance.

Mr. COHN. When did you attend your last Communist meeting? When was the last one of these meetings that you have described?

Mr. GREENMAN. It was in that period of 1936 to 1937.

Mr. COHN. It was probably in 1937, then?

Mr. GREENMAN. Yes.

Mr. COHN. If these meetings were in 1936 and 1937.

Mr. GREENMAN. I can't tell you, sir. I don't recall.

Mr. COHN. Were you, yourself, ever a Communist?

Mr. GREENMAN. No, sir.

Mr. COHN. Did you ever believe in socialism?

Mr. GREENMAN. I believe not in—let me say it this way. I believed in economic socialism, the abstract theory, at one time, and I won't say I was a strong believer, but it seemed to me to have some possibilities.

Mr. COHN. When did you say that was? You say "at one time." When did that time end?

Mr. GREENMAN. That was after I had been working for a while, and I saw that organizations couldn't plan everything so that everything worked perfectly, and I realized that the planning process was basically inadequate; and the period, I would say, goes back about to 1942, about that time.

The CHAIRMAN. You say you are a believer or you were a believer?

Mr. GREENMAN. I was, sir.

The CHAIRMAN. Up to what time?

Mr. GREENMAN. I would say up to about that period of 1942.

The CHAIRMAN. How would you differentiate between economic socialism and Marxism? I am not referring to communism, but Marxism.

Mr. GREENMAN. I don't know that I really know the difference, if there is a difference. Let me explain what I mean by economic socialism. That is where the manufactured goods and services and agricultural produce somehow find an equitable distribution so that people do not necessarily want and that everybody is happy, and I would mention a pamphlet that I think at that time I had read, and that was a pamphlet by Oscar Wilde, and I recall that one, and I won't say a pamphlet.

The CHAIRMAN. So far you have merely described the campaign speeches of both Democrats and Republicans, and you refer to economic socialism, normally referring to Marxism as distinguished from Marxism-Leninism.

Mr. GREENMAN. If I can say this, the word Marxism today to me bears notions of the Russian type of system, and that isn't at all what I mean or have in mind.

The CHAIRMAN. Did you ever read Karl Marx?

Mr. GREENMAN. No, sir.

The CHAIRMAN. And you say that you read "The Soul of Economic Socialism?"

Mr. GREENMAN. It was a pamphlet, and I remember it had to do with how the artist was going to find his way into socialism.

The CHAIRMAN. Do you know who put the book out?

Mr. GREENMAN. Yes, sir. This was written by Oscar Wilde, and I don't remember, I was thinking that it was in a collection of material by Oscar Wilde that I once bought, but I am not certain that it is in there, but maybe it is. This was one of these series of collections of Oscar Wilde and Victor Hugo, and I bought at one time two or three volumes.

Mr. SCHINE. Mr. Greenman, you have given us the name of one Communist that you say you can remember who was at these meetings with you, and can you give us the names of any other Communist party members you have known over the years?

Mr. GREENMAN. No, sir.

Mr. SCHINE. Any Communists?

Mr. GREENMAN. No, sir.

Mr. SCHINE. Did you ever take steps to tell the FBI anything about these Communist meetings that you attended?

Mr. GREENMAN. No, sir, I didn't.

Mr. SCHINE. Did it ever occur to you that it might be of value to the FBI in piecing together the puzzle of subversion; that you might have some valuable information they would want to know about?

Mr. GREENMAN. No, sir.

Mr. SCHINE. Does it occur to you now that it might be useful?

Mr. GREENMAN. Yes, sir, it does.

Mr. SCHINE. In other words, this is the first time you have ever disclosed any of this information?

Mr. GREENMAN. Yes, sir.

Mr. RAINVILLE. When did you leave the United Electrical Workers Union?

Mr. GREENMAN. That was at about June or July of 1937, sir.

Mr. RAINVILLE. Do you belong to another union now?

Mr. GREENMAN. I belong to no union, sir.

Mr. RAINVILLE. Have you belonged to any since 1937?

Mr. GREENMAN. Yes, sir.

Mr. RAINVILLE. Have you had the same experience in the other unions that you had with the United Electrical Workers?

Mr. GREENMAN. No, sir.

Mr. RAINVILLE. What other unions have you belonged to?

Mr. GREENMAN. I belonged to one other union. I believe it was the United Federal Workers.

Mr. RAINVILLE. How long did you belong to that union?

Mr. GREENMAN. From about 1942 to 1944.

Mr. RAINVILLE. Why don't you belong to them now?

Mr. GREENMAN. Because I realized that nothing was being accomplished very much, and the requirement for a union in the government service is somewhat different than it is outside. There are grievance procedures, and for grievances you can avail yourself of the established procedures; and as far as conditions of work and hours and wages, a union becomes a lobbying organization.

Mr. RAINVILLE. Actually, you are just saving yourself money, because it adds nothing to what you could otherwise do?

Mr. GREENMAN. It does. I don't see that it is basically to my advantage.

Mr. JONES. As long as you have been at Monmouth, have you ever had any reason to believe, either directly or indirectly, any subversive activities were going on?

Mr. GREENMAN. Definitely not.

Mr. JONES. Have you ever seen anyone with a camera inside the plant?

Mr. GREENMAN. Yes, sir. But let me say this, sir, that we have a photographic branch, and these people must use cameras, and they come around and photograph our equipment in the section in which I am.

Mr. JONES. Have you ever ordered any photographs to be taken by this official photographer yourself?

Mr. GREENMAN. Yes, sir.

Mr. JONES. What happens after you issue the order and these photographs are taken? What happens to the prints and the negative, and so forth?

Mr. GREENMAN. Prints and negatives are issued to you. The negatives, as I recall, they generally retain unless it is something that is definitely—like once I had a chart reproduced, and this was like, you might say, a textbook chart, and they didn't want to burden themselves with keeping the negative. But in general I think that they keep negatives on file, and they release prints to you upon your request. You tell them what your need is for.

Mr. JONES. When you sign out for printing, you return, I assume, with this print to your own division, and you use it there in the course of your work; and upon completion of the day's work, you lock that print in a safe?

Mr. GREENMAN. If it is classified, yes, sir.

Mr. JONES. You are allowed to take this print home with you if necessary?

Mr. GREENMAN. No, sir, not unless you have some reason for taking it home, and you go through the usual procedure to remove classified material.

Mr. JONES. Well, you are allowed to take home classified materials if you sign out for them.

Mr. GREENMAN. You have to get permission to do that, sir, and it requires at least one or two signatures.

Mr. JONES. By that same permission, you were also allowed to take home photographs in connection with that?

Mr. GREENMAN. I would say—you have got me. I have had no occasion to take home photographs, and if you are asking me what I think the general rule is, I don't know. If you can show the man who is responsible why perhaps it is necessary, perhaps that is done.

Mr. JONES. Have you ever seen any other camera, other than the official photographer's?

Mr. GREENMAN. No, sir.

Mr. JONES. Do you own a camera?

Mr. GREENMAN. Yes, sir.

Mr. JONES. What kind?

Mr. GREENMAN. It is an old Zicon, a German-made camera about two and one-fourth by three and one-fourth.

Mr. JONES. You have never brought that camera within the plant for any reason at all?

Mr. GREENMAN. No, sir.

Mr. JONES. You don't know of anyone who has brought a camera within the plant?

Mr. GREENMAN. No, sir.

Mr. JONES. Have you ever seen a Minox camera?

Mr. GREENMAN. I have seen the small cameras, but not inside the plant.

Mr. JONES. Where have you seen them?

Mr. GREENMAN. I have seen them in shops.

Mr. RAINVILLE. I must leave, but I wanted to ask a question. What happens to the camera equipment after hours?

Mr. GREENMAN. After hours, it is handled in this fashion: Let me not speak for the reproduction branch and other people——

Mr. RAINVILLE. Just what you know about it.

Mr. GREENMAN. If in our work and our group we have had occasion to borrow camera equipment from elsewhere, we store it like we store other property. In other words——

Mr. RAINVILLE. You would have a safe where you could put it or a locker where you could put it away and lock it up?

Mr. GREENMAN. We have generally locked it in the safe, but I would say the reason has been different. It didn't occur to us to lock it on account of security reasons, but because it was a valuable commodity.

Mr. RAINVILLE. You do have cameras, and you can keep them after hours if you are working with them and they are left on the premises all night?

Mr. GREENMAN. Our cameras in the group in which I work are all modified, and they are very special, and I don't want to go into what modifications or other things they are.

Mr. RAINVILLE. They do leave their equipment at the office and they don't take it home with them?

Mr. GREENMAN. Not that I know of, sir.

Mr. RAINVILLE. Do they lock it up, the same as you do, for protection?

Mr. GREENMAN. I don't know how they handle their cameras.

Mr. JONES. Mr. Greenman, have you any information you would like to give to this committee in respect to the security set-up out there at Evans?

Mr. GREENMAN. No, sir.

Mr. JONES. You have no suggestions to make at all in that respect?

Mr. GREENMAN. No, sir, except this, that security is very necessary. As a working physicist, it makes your work extremely difficult because every time you move you have got to meet the requirements of security. If it is necessary to talk with someone, you have to arrange for clearances in advance, and so on, I would say, sir, if I could—I am not saying that security should be relaxed at all, but from my own viewpoint——

The CHAIRMAN. Just try and answer the question.

Mr. COHN. You were a member of the United Electrical Workers?

Mr. GREENMAN. Yes, sir.

Mr. COHN. When did you leave there?

Mr. GREENMAN. About June of 1937.

Mr. COHN. Why did you leave?

Mr. GREENMAN. I got another job, sir.

Mr. COHN. Could you wait outside for a few minutes, because I want to talk to counsel for just a moment.

Mr. COHN. This is Mr. Ira Katchen, counsel for the last witness.

STATEMENT OF IRA J. KATCHEN

Mr. COHN. Now, Mr. Katchen, I just wanted to ask you one or two questions to clarify something. One of the witnesses, one of those whose clearance was lifted, said he had been told that he and some of the others who had consulted you would not have to pay fees; that their legal expenses would be covered by the B'nai B'rith, or the Anti-Defamation League.

I just wondered whether or not that is true, and whether or not the B'nai B'rith or Anti-Defamation League had taken any official interest in these cases?

Mr. KATCHEN. So far as my connection is concerned, I am not representing the B'nai B'rith or the Anti-Defamation League in any capacity, but I am simply representing these fellows who have come to me as their attorney.

Mr. COHN. So far as you know, the B'nai B'rith and the Anti-Defamation League have no interest?

Mr. KATCHEN. They may have an interest, and the interest they expressed is on their own, but has nothing to do with anything I have done.

Mr. COHN. Have you yourself come across any valid evidence of anti-Semitism in any of the suspensions?

Mr. KATCHEN. I have not, sir, up until this day.

Mr. COHN. If you do, I might say, come across any evidence along those lines at all, the counsel for the Department of the Army is here, and he has indicated he would be very happy to receive that information, and it will be given the promptest attention by him and by Secretary Stevens, both of whom the committee has observed have been scrupulously fair and impartial and unbiased in their handling of this very serious situation.

Mr. KATCHEN. I appreciate that offer, and I would like to submit to him any such material that I may hear about.

Mr. COHN. Thank you.

[Whereupon, at 12:10 p.m., a recess was taken until 1:30 p.m. of the same day.]

AFTERNOON SESSION

[2:10 p.m.]

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ELITCHER. I do.

TESTIMONY OF MAX ELITCHER

Mr. COHN. Will you give us your full name?

Mr. ELITCHER. Max Elitcher, E-l-i-t-c-h-e-r.

Mr. COHN. Mr. Elitcher, was there a time when you became acquainted with Julius Rosenberg and Morton Sobell?

Mr. ELITCHER. Yes, sir.

Mr. COHN. About when was that?

Mr. ELITCHER. Well, Morton Sobell in high school, and also through college, my college years.

Mr. COHN. You knew him at City College?

Mr. ELITCHER. Yes, sir; and Rosenberg sometime I would say starting my junior year at City College.

Mr. COHN. While you were at City College, were you a member of the Young Communist League?

Mr. ELITCHER. No, I was not.

Mr. COHN. Did you ever attend any meetings?

Mr. ELITCHER. Yes, sir; I did.

Mr. COHN. Do you recall any of the persons who attended those meetings along with you?

Mr. ELITCHER. Well, I didn't recall, I don't recall seeing either Sobell or Rosenberg there. There was only one that I know specifically. The only one is Stanley Rich.

Mr. COHN. Was there anybody in your class at City College whom you knew or now know to have been a Communist?

Mr. ELITCHER. William Danziger. I think that is all that I know of.

Mr. COHN. Did you know a man named Carl Greenblum?

Mr. ELITCHER. The name is familiar.

Mr. COHN. It rings a bell, but you don't place him?

Mr. ELITCHER. No.

Mr. COHN. Now, after you left City College, did you have occasion to see Sobell at all?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Were you working down in Washington?

Mr. ELITCHER. Yes, sir.

Mr. COHN. For the navy?

Mr. ELITCHER. For the navy, yes.

Mr. COHN. And did Sobell come down to see you?

Mr. ELITCHER. Yes, sir; he came down to work, also.

Mr. COHN. He worked in the navy, too?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Did he recruit you into the Communist party?

Mr. ELITCHER. Yes, he did.

Mr. COHN. Were you a member of a Communist party unit consisting of navy employees?

Mr. ELITCHER. Yes, sir.

Mr. COHN. And Sobell was a member of that unit?

Mr. ELITCHER. No.

Mr. COHN. He was not?

Mr. ELITCHER. He was not a member of that unit. He had left Washington before I was in that particular unit.

Mr. COHN. How long a period of time did you remain in that unit?

Mr. ELITCHER. I would say from '43 through '48. It was up to approximately the middle of 1948.

Mr. COHN. Did you see Sobell after you left Washington?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Did he ever speak to you about, or ever try to induce you to become a member of an espionage ring?

Mr. ELITCHER. Well, he himself not specifically, he did not attempt to recruit me.

Mr. COHN. What did he say to you?

Mr. ELITCHER. Well, the only direct connection he would have had with that was in conversation I had with Rosenberg at one time, in regard to relating to his request that I remain at the Navy Department.

Mr. COHN. In other words, Sobell urged you to remain in the Navy Department?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Did there come a time in 1945 when you met Julius Rosenberg? Is that the year?

Mr. ELITCHER. Well, 1943, from 1943 on.

Mr. COHN. What were the circumstances of your meeting Rosenberg?

Mr. ELITCHER. Rosenberg starting in 1943 came to Washington to visit me and asked me to enter into an espionage, and that carried through 1948.

Mr. COHN. In other words, without going into all of the details which we both know, from 1943 to 1948 off and on you were asked to join an espionage ring via Julius Rosenberg?

Mr. ELITCHER. Yes, sir.

Mr. COHN. During that time you became aware of the fact of course that Rosenberg himself was engaged in espionage?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Did you likewise become aware of the fact that Sobell was?

Mr. ELITCHER. Yes.

Mr. COHN. Now, was there an occasion, too, in 1948 when you drove from Washington to the home of Morton Sobell?

Mr. ELITCHER. Yes.

Mr. COHN. Would you tell the committee what happened on that night? I am trying to skip most of the details.

Mr. ELITCHER. Well, I came up to find a place to live, and upon driving up noticed I had been followed on my way up and when I got to my destination that night, Sobell's house, to stay, while looking for a place to live, and when I arrived or after I arrived I told Sobell that I had been followed, and he became upset and told me that he had some material, the way he put it, that was valuable and he wanted to bring it to Rosenberg, rather than destroy it, it had some value. He didn't reveal the nature of the specific nature of the material, or in what form it was in, but he did take what appeared to be a film can with him and he asked me to accompany him into the city while he delivered this material to Rosenberg.

Mr. COHN. Did you accompany him?

Mr. ELITCHER. Yes, sir.

Mr. COHN. You drove in?

Mr. ELITCHER. We drove into the East Side.

Mr. COHN. Right near the courthouse?

Mr. ELITCHER. Actually near the courthouse, and he parked the car, it was his car, and he left, and he returned a short time later.

Mr. COHN. Did he tell you anything Rosenberg said to him?

Mr. ELITCHER. Well, yes, I asked him what did he think, what did Juley think.

Mr. COHN. About the fact you had reported that you had been followed by someone coming up from Washington?

Mr. ELITCHER. Yes, and he said something that was, Juley says it is all right, he had spoken to Elizabeth Bentley on the phone, or he had spoken to Elizabeth Bentley on the phone at one time, but that she didn't know who he was, and everything was all right, and not to worry about it. I think that is about all that was said.

Mr. COHN. Now, in the course of these contacts you had with Rosenberg, between 1943 and 1948 when he was trying to recruit you into this espionage ring, did you have occasion to see Rosenberg in New York and have dinner with him at any time?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Did you ever see a woman by the name of Vivien Glassman?

Mr. ELITCHER. No, I did not.

Mr. COHN. You never saw her on any occasion?

Mr. ELITCHER. No, I think that I saw her when I was appearing at the grand jury, but other than that—

Mr. COHN. Who are some of the people you saw with Rosenberg?

Mr. ELITCHER. Well, there was William Perl, Joel Barr, and I forget the fellow's name who we visited downtown.

Mr. COHN. Alfred Sarant?

Mr. ELITCHER. Yes.

Mr. COHN. Anybody else?

Mr. ELITCHER. Perl's brother, and Sobell.

Mr. COHN. Who had a sister who lived there?

Mr. ELITCHER. Barr had a sister.

Mr. COHN. What was her name?

Mr. ELITCHER. I don't know, I only met her on one occasion and just briefly.

Mr. COHN. Did we ever establish what her name was, do you recall that?

Mr. ELITCHER. No.

Mr. COHN. Was she a teacher or something like that?

Mr. ELITCHER. She might have been a teacher.

Mr. COHN. She had dinner with you one night?

Mr. ELITCHER. She did have dinner with us, the teacher was something else. We had dinner when we went to Joel Barr's house and while we were up there, it was a penthouse apartment on 98th Street, approximately the West Side, his sister appeared.

Mr. COHN. Let me ask you this: Did you meet David Greenglass at all?

Mr. ELITCHER. I never met Greenglass.

Mr. COHN. At any time during your relationship with Sobell or Rosenberg, was there any mention of espionage with reference to the Army Signal Corps or the army or anything along those lines?

Mr. ELITCHER. No, sir.

Mr. COHN. Was there any reference to espionage connected with any companies doing business with the army or the Army Signal Corps?

Mr. ELITCHER. No, sir.

Mr. COHN. How about General Electric?

Mr. ELITCHER. Well, of course Sobell was at GE, and—

Mr. COHN. Did GE have Signal Corps contracts at that time?

Mr. ELITCHER. I imagine they did, they had a lot of contracts with the navy and with the air force and I don't know whether they had with Signal Corps.

Mr. COHN. Do you know whether any radar work was being done at GE?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Was it definitely?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Sobell was doing any of that work?

Mr. ELITCHER. Yes, sir; he was involved in some of the work.

Mr. COHN. I know he did something on radar, and what exactly was that?

Mr. ELITCHER. Well, at the time he was at GE, he was an engineer involved with devices for controlling radar or telescope or anything, and he was involved in the design of these controls, and so he worked on various systems that GE was working on.

Mr. COHN. I suppose it would be a pretty safe assumption that he wouldn't keep those things a secret?

Mr. ELITCHER. I would assume that.

Mr. COHN. From Rosenberg and some of his colleagues?

Mr. ELITCHER. That is right.

Mr. COHN. You gather from your conversation with him that that would be the kind of stuff they were interested in?

Mr. ELITCHER. Yes.

Mr. COHN. About what year was that, that Sobell was working on these control devices?

Mr. ELITCHER. He started working at GE about 1943, and he was there in 1943, and he left there about 1947, through that period.

Mr. COHN. Do I recall this correctly, that Sobell and possibly Rosenberg talked to you about the possibility of recruiting other people—

Mr. ELITCHER. Yes, sir.

Mr. COHN [continuing]. Into this espionage ring?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Were they trying to concentrate, if my recollection on this is correct, that they wanted to concentrate particularly on engineers, and people who would deal with just things like these things?

Mr. ELITCHER. Yes, sir; specifically engineers.

Mr. COHN. Is that right, people who would deal with things like Sobell was, and that was a definite object of this espionage ring?

Mr. ELITCHER. Yes, sir.

Mr. COHN. It was very clear that they wanted material on classified material on devices such as these things, is that right?

Mr. ELITCHER. That is right.

Mr. JONES. How long did you live in Washington?

Mr. ELITCHER. From 1938 to 1948.

Mr. COHN. Did you ever know an Edward Rothschild?

Mr. ELITCHER. Yes.

Mr. COHN. How did you know him?

Mr. ELITCHER. Well, if it is the same person I am thinking of, he lived in my apartment house, and I believe he was in the union which I was in.

Mr. COHN. Was he active in the party at the same time?

Mr. ELITCHER. I don't know, he was in the union.

Mr. COHN. Was this the Edward Rothschild who worked for the Government Printing Office?

Mr. ELITCHER. I am sorry, sir, but Edward Rothschild, I am sorry, there was a Rothschild but not the same person that worked in the Government Printing Office, involved in the GPO.

Mr. JONES. Who was the Rothschild that you know, the one that you know?

Mr. ELITCHER. He was a Rothschild who worked in the government and he lived in my apartment house, 247 Delaware Avenue, Southwest.

Mr. JONES. How old was this Rothschild?

Mr. ELITCHER. He was a short fellow.

Mr. JONES. What was his wife's name?

Mr. ELITCHER. He got married I guess about 1948.

Mr. JONES. Would you describe her?

Mr. ELITCHER. She was younger than he was, average appearance.

Mr. JONES. What color was her hair?

Mr. ELITCHER. I don't remember. I would know the name.

Mr. COHN. Was it Esther?

Mr. ELITCHER. I know her maiden name.

The CHAIRMAN. The testimony has been that Rothschild was a member of the party and his wife was a member and she was an officer in a Communist unit, and there was testimony that he stole classified material from the GPO, code books and that sort of thing, and I think, Roy, if you refresh this young man's recollection of the address—

Mr. ELITCHER. Let me clear up one thing, whether these people are the same. When was this Rothschild that you are referring to at the Government Printing Office?

Mr. COHN. He was there a considerable period of time except when he was in the navy.

Mr. ELITCHER. It is not the same person, this fellow was a lawyer, it is not the same man because I read about it in the papers and I knew it was not the same person.

Mr. COHN. Was radar or anything to do with radar or these controlled devices ever discussed between you and Sobell?

Mr. ELITCHER. Yes, sir. Oh, yes.

Mr. COHN. Did he express definite interest in that type of work?

Mr. ELITCHER. Well, he wasn't what has been called a radar expert specifically, he was more of a control man, and control devices, rather than a radar, he was an electronics man. He worked at GE and he worked later on in Reeves after he left GE.

Mr. COHN. As a matter of fact, it now occurs to me at Reeves he was doing direct business with the Army Signal Corps on radar devices.

Mr. ELITCHER. At Monmouth, yes, he went down there periodically.

Mr. COHN. Did you know he had been going down there periodically?

Mr. ELITCHER. Yes, sir.

Mr. COHN. Do you know who he stayed with when he went down to Monmouth?

Mr. ELITCHER. A fellow named Zuckerman, Ben Zuckerman.
 Mr. COHN. Who is Ben Zuckerman?
 Mr. ELITCHER. He was a classmate at City College.
 Mr. COHN. Did he work at Monmouth?
 Mr. ELITCHER. I guess he worked at Monmouth.
 Mr. COHN. Who else did he stay with?
 Mr. ELITCHER. He met classmates there.
 Mr. COHN. Do you know the names of any of those?
 Mr. ELITCHER. I don't know.
 Mr. COHN. Let me throw some at you.
 Mr. ELITCHER. Aaron Coleman. Yes, I recall that name, but I don't know whether Sobell had spoken of him, and he met Coleman at Reeves, actually.
 Mr. COHN. On how many occasions did you see Coleman at Reeves?
 Mr. ELITCHER. Either once or twice.
 Mr. COHN. Do you know whether or not Coleman knew Sobell?
 Mr. ELITCHER. Oh, yes.
 Mr. COHN. There is no doubt of that?
 Mr. ELITCHER. That is right.
 Mr. COHN. Did they visit with each other that you know of?
 Mr. ELITCHER. That I don't know. Sobell never mentioned it and I don't know. I am sure he met him at Reeves, but I don't know whether he met him outside, he has never spoken to me of it.
 Mr. COHN. How about a man by the name of Harold Ducore?
 Mr. ELITCHER. No.
 Mr. COHN. I asked you about Carl Greenblum and you thought that rang a bell.
 Mr. ELITCHER. It doesn't mean anything to me.
 Mr. COHN. A fellow named Bob Martin or Bernard Martin?
 Mr. ELITCHER. No.
 Mr. COHN. Sam Greenman?
 Mr. ELITCHER. No.
 Mr. COHN. Marcus Epstein, also known as Max Epstein?
 Mr. ELITCHER. No, that has a familiar ring but it wasn't because I knew him.
 Mr. COHN. Sam Pomerantz?
 Mr. ELITCHER. Yes.
 Mr. COHN. How about Sam Pomerantz?
 Mr. ELITCHER. I think Pomerantz was a classmate, and in fact I think perhaps Sam Pomerantz had come up to Reeves at one time again on business, and I might have met him there, but otherwise I hadn't run into him from school on.
 Mr. COHN. Was Sam Pomerantz one of the people Sobell visited down at Monmouth?
 Mr. ELITCHER. Sobell never mentioned who he visited outside of Zuckerman, and he stayed there.
 Mr. COHN. At Zuckerman's home?
 Mr. ELITCHER. He visited at Monmouth there, but he never mentioned any associations there.
 Mr. COHN. Now let me ask you this, getting back to this, we have the fact that Sobell and Rosenberg were at this espionage ring and trying to expand it and get new people and they spoke to you and they wanted to know if you could keep your eyes open for some

young engineers, who would be sympathetic and all of that, is that right?

Mr. ELITCHER. Yes.

Mr. COHN. And would some of those people—Let me put it to you this way: Was it clear to you that Sobell and Rosenberg, one of the things they would have been interested in was radar and things along those lines?

Mr. ELITCHER. Yes, sir; definitely.

Mr. COHN. Did you know they were doing that work down at Monmouth, by the way?

Mr. ELITCHER. Yes, sir.

Mr. COHN. That was pretty well known among the professions that the Signal Corps—

Mr. ELITCHER. Any one working in light work would have known this.

Mr. COHN. What was Zuckerman's first name?

Mr. ELITCHER. Ben Zuckerman.

Mr. COHN. It wouldn't be Jack?

Mr. ELITCHER. No.

Mr. COHN. Do you know where he is now?

Mr. ELITCHER. Zuckerman, I don't know, as far as I know he is in Monmouth, New Jersey, and I haven't heard of him since, since 1950.

Mr. COHN. Was there anybody else at the Signal Corps who was very friendly with Sobell?

Mr. ELITCHER. I would say without knowing specifically any classmate from the school he certainly would have been, but either by design or otherwise didn't mention anybody that he met at that point.

Mr. COHN. Was this man Zuckerman a Communist?

Mr. ELITCHER. My impression would be no, he was not.

Mr. COHN. Do you know whether he was or not?

Mr. ELITCHER. No.

Mr. COHN. Do you think he knew what Sobell was doing?

Mr. ELITCHER. I don't know.

Mr. COHN. Sobell didn't confide in you about that?

Mr. ELITCHER. No, sir.

Mr. JONES. Do you know any Communists still working at Monmouth?

Mr. ELITCHER. No, I didn't know any before, no. I don't know any. My associations with Monmouth was purely by just talk, and I didn't know much about it, and I had never been there.

Mr. JONES. Could you mention a few other names that might occur to you whom you knew in Washington, and took part in the activities with you down there?

Mr. ELITCHER. Well, people in the navy branch were people that I knew, and I don't believe any of them are working there now. Do you want the names of them? They are in the records, and I gave them.

The CHAIRMAN. Would you say that it would be a safe assumption that Sobell and therefore Rosenberg also had rather free access to secret material over at the Signal Corps through their contacts over there?

Mr. ELITCHER. I believe that Sobell would certainly have had access to secret material, and perhaps not at Monmouth, but access to that type of material through various channels.

The CHAIRMAN. Through his contacts at Monmouth?

Mr. ELITCHER. Through his contacts, and through his work at Reeves, and he did work on that project. I don't know about secret material, that was difficult for people to get outside of the work that you were specifically engaged in.

The CHAIRMAN. Do you know up to roughly what year Sobell used to visit Zuckerman and others down at Monmouth?

Mr. ELITCHER. Well, from 1947 I came to work in 1948 in New York, and a short time after that, let us say from 1949 to 1950, those two years certainly.

The CHAIRMAN. Raise your right hand. In the matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUTNER. I do.

TESTIMONY OF EUGENE E. HUTNER (ACCOMPANIED BY HIS COUNSEL, VICTOR RABINOWITZ)

The CHAIRMAN. Will you give the reporter your full name.

Mr. HUTNER. Eugene E. Hutner.

The CHAIRMAN. Have you ever held any jobs with any government agency, Mr. Hutner?

Mr. HUTNER. Yes, sir.

The CHAIRMAN. Which ones?

Mr. HUTNER. I was down at the Arsenal in Bellaire—not Bellaire. I have forgotten that name. Edgewood Arsenal.

The CHAIRMAN. And were you handling classified material down there?

Mr. HUTNER. Not to my knowledge, no.

The CHAIRMAN. Was there any classified material available to you?

Mr. HUTNER. No.

The CHAIRMAN. What kind of work were you doing?

Mr. HUTNER. I tested the threading of shells.

The CHAIRMAN. And what years did you work there?

Mr. HUTNER. I was there during the period from June of 1941 until just before I went in the army, which was November 11, 1942.

The CHAIRMAN. Did you hold any government job before that?

Mr. HUTNER. No.

The CHAIRMAN. How long were you in the army?

Mr. HUTNER. Forty months.

The CHAIRMAN. What kind of work were you doing in the army?

Mr. HUTNER. I was a high-speed radio operator.

The CHAIRMAN. High-speed radio operator.

Mr. HUTNER. Yes, sir.

The CHAIRMAN. And how long were you in the army?

Mr. HUTNER. Forty months.

The CHAIRMAN. And when you came out of the army where did you go?

Mr. HUTNER. I came back to New York, and I went to Teachers College.

The CHAIRMAN. Teachers College?

Mr. HUTNER. Columbia University, yes.

The CHAIRMAN. And did you graduate from Columbia?

Mr. HUTNER. I got my master's in education, yes, sir.

The CHAIRMAN. And then you started teaching?

Mr. HUTNER. I was teaching before that, as a substitute.

The CHAIRMAN. You never went back to do any government work after that?

Mr. HUTNER. No.

The CHAIRMAN. And you are now teaching at Morris High School?

Mr. HUTNER. That is right.

The CHAIRMAN. Do you know or are you fairly well acquainted with your sister-in-law, Vivian Pataki?

Mr. HUTNER. Yes, I know Vivian.

The CHAIRMAN. Is she a Communist?

Mr. HUTNER. I wouldn't know.

The CHAIRMAN. Well, did your wife before she was married to you ever tell you that she was a Communist, that Vivian was?

Mr. HUTNER. I would like to say it would be a confidential relation between my wife and myself.

The CHAIRMAN. It wouldn't be before you were married. I am asking you whether she told you before she was married to you that your sister Vivian was a Communist.

Mr. RABINOWITZ. May I consult for just a moment.

[The witness consulted with his counsel.]

Mr. HUTNER. No, she never told me she was a Communist.

The CHAIRMAN. Did she ever tell you anything which led you to believe her sister was a Communist?

Mr. RABINOWITZ. All of this relates to the period before marriage.

The CHAIRMAN. Either before marriage or statements which she made to you in the presence of others, and we cannot ask you about anything that occurred when only you and your wife were present. We can ask, but you can assert a privilege and not answer.

Mr. HUTNER. No, not to my knowledge.

The CHAIRMAN. Did you ever have any reason to believe that your sister-in-law, Vivian Pataki, was a Communist?

Mr. HUTNER. No, I had no reason.

The CHAIRMAN. Do you read the paper to the effect she was accused of having acted as a go-between for Rosenberg and Perl?

Mr. HUTNER. Yes, I read it in the papers.

The CHAIRMAN. And that didn't indicate to you at all she might be a Communist?

Mr. HUTNER. No.

The CHAIRMAN. So as of today you have no reason whatsoever to believe that Vivian was a Communist?

Mr. HUTNER. No.

The CHAIRMAN. Do you think she is not a Communist?

Mr. HUTNER. I have no way of knowing whether she is or not.

The CHAIRMAN. Is your wife a Communist?

[The witness consulted with his counsel.]

Mr. HUTNER. Matters between my wife are confidential.

The CHAIRMAN. You refuse to answer?

Mr. HUTNER. On the basis that matters between myself and my wife are confidential.

The CHAIRMAN. Did you ever attend any Communist meetings with your wife?

Mr. HUTNER. I have never attended any Communist meetings.

The CHAIRMAN. Were any ever held in your home, any Communist meetings?

Mr. HUTNER. No.

The CHAIRMAN. Did any Communist ever come to your home?

Mr. HUTNER. Not to my knowledge.

The CHAIRMAN. Did you ever join the Communist party?

Mr. HUTNER. No, I never joined the Communist party.

Mr. COHN. Did you ever go to a Communist meeting?

Mr. HUTNER. I answered that question and I said no.

The CHAIRMAN. Were you ever solicited to join the party?

Mr. HUTNER. No.

The CHAIRMAN. Did your wife ever ask you to join the party?

Mr. HUTNER. Matters between my wife and myself are confidential.

The CHAIRMAN. Did she ever ask you to join the party before you were married?

Mr. HUTNER. No.

The CHAIRMAN. Did she ever ask you to join the party after you were married in the presence of someone else?

Mr. HUTNER. No.

The CHAIRMAN. Your testimony is you were never solicited to join the Communist party or the Young Communist League, is that correct?

Mr. HUTNER. That is correct.

The CHAIRMAN. And that you never attended any Communist meetings?

Mr. HUTNER. That is right.

The CHAIRMAN. Never attended any meetings of the Young Communist League?

Mr. HUTNER. Never.

The CHAIRMAN. Do you think you could recognize a Communist meeting in view of the fact you could not recognize your sister-in-law, famous espionage agent, even being remotely connected with the Communist party?

Mr. HUTNER. That is a matter of opinion and I wouldn't know.

The CHAIRMAN. As of this date under oath you say that nothing ever occurred to give you any reason to believe that your sister-in-law, Vivian Pataki, was a Communist?

Mr. HUTNER. No.

The CHAIRMAN. Nothing of that nature?

Mr. HUTNER. No.

The CHAIRMAN. You never heard anything that would indicate she might be a Communist?

Mr. HUTNER. No.

The CHAIRMAN. Did you ever hear anything that might indicate that she was an espionage agent?

Mr. HUNTER. No.

The CHAIRMAN. That will be all. I may tell counsel that I intend to submit this record to the attorney general and request that this man be indicted for perjury.

You may step down and consider yourself under subpoena and we will inform you that we are submitting this record to the attorney general with a request that the case be presented to the grand jury.

Colonel, will you raise your hand and be sworn. In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Col. MILLS. I do.

TESTIMONY OF COL. JOHN V. MILLS

The CHAIRMAN. Can we have your full name?

Col. MILLS. Colonel John V. Mills.

The CHAIRMAN. What position do you hold now?

Col. MILLS. Commanding officer, Signal Corps, Intelligence Agency.

The CHAIRMAN. How long a period of time have you held that position?

Col. MILLS. Two years today.

The CHAIRMAN. Colonel, did there come to your attention at any time a document denominated AT-1104-52?

Col. MILLS. I believe the document you have reference to was ATI-1104.

The CHAIRMAN. Air Technical Intelligence.

Col. MILLS. 1104.

The CHAIRMAN. You say it did come to your attention?

Col. MILLS. Yes, sir.

The CHAIRMAN. About when?

Col. MILLS. May I check my date?

The CHAIRMAN. Of course. You brought the document with you, Colonel?

Col. MILLS. No, sir.

The CHAIRMAN. You did not?

Col. MILLS. No, sir. I frankly didn't know why I was coming, sir, and so I just guessed at a few things that might be pertinent.

Mr. COHN. Can you refresh your recollection?

Col. MILLS. My agency received that document on the 22nd of September 1952.

Mr. COHN. That was routed over from air force intelligence?

Col. MILLS. Not directly to us, no.

Mr. COHN. Through G-2?

Col. MILLS. The way that comes to us is on the reading panel at G-2, and my man would pick it off there and bring it back to my agency.

Mr. COHN. Could you give us very briefly how that works?

Col. MILLS. Yes. The reading panel is a term just for a long table with many documents on it, and which the various technical intelligence agencies have representatives scanning those documents for the particular information that they are interested in. Some documents come in and G-2 will see them first, one of their people, and because of the document concerning telecommunication, they will

mark it Signal Corps, and that won't be placed on the table but will be placed at one side for my man to pick it up to bring it back to me.

Mr. COHN. Who was your man on the panel at that time?

Col. MILLS. I would hesitate to answer that right now. I know who is there today but back then I can't recall.

Mr. COHN. Who is there today?

Col. MILLS. Mr. Balian.

Mr. COHN. You don't know the name of his predecessor?

Col. MILLS. He might have been the one, but a year or so ago—I can't recall.

Mr. COHN. You could check that for us?

Col. MILLS. Yes, sir.

Mr. COHN. Then what happened with reference to this particular document?

Col. MILLS. Then that document brought back to my shop and again it goes through another reading panel there where my researchers who are broken down by various technical sections, telephone, and radio and so forth, will pick it up and take it back to their section for work, providing it is a document on which they have a need. This particular document as I recall was several pages, and it had many things in it that concerned many sections.

The CHAIRMAN. Do you remember about how many pages, Colonel?

Col. MILLS. I would be guessing, sir, and I would say five or six.

The CHAIRMAN. Do you think it was actually eight pages, and the first five were typewriting and the last three drawings?

Col. MILLS. I cannot recall that.

The CHAIRMAN. When did you see it last?

Col. MILLS. I can't recall that, either. I saw it in extract yesterday, but that was only the one particular portion.

The CHAIRMAN. Just roughly how many months ago had you seen the document? Was it three months or six months?

Col. MILLS. Probably back in November or December of last year.

The CHAIRMAN. Do you recall having seen the three pages of drawings; would you remember that?

Col. MILLS. No, sir; I don't recall that.

Mr. COHN. Now, in any event, the document was brought to your attention, is that right?

Col. MILLS. The document was brought to my attention by a Mr. Gerhart, through Captain Crashock, who was my top secret control officer.

The CHAIRMAN. What was the substance of this document?

Col. MILLS. The reason for bringing it to my attention, you mean?

The CHAIRMAN. Well, why do you not tell us that, too?

Col. MILLS. The reason for bringing it to my attention was this particular section which had reference to microfilm having been seen by a source in Parna.

The CHAIRMAN. Microfilm from where?

Col. MILLS. Evans Signal Laboratory.

The CHAIRMAN. The Parna Laboratory is located where?

Col. MILLS. East Germany.

The CHAIRMAN. Do you know the city?

Col. MILLS. No, sir. It is spelled P-a-r-n-a, I believe.

Mr. COHN. Who was the source of this statement?

Col. MILLS. I don't know who was the source, the source was not named, as I recall, in this document. The source was not evaluated as I recall.

Mr. COHN. Did you get any description of the source?

Col. MILLS. Defectee.

Mr. COHN. That is somebody who was a Communist over in the East Zone?

Col. MILLS. And may or may not be a Communist, but someone who was in the other zone who has come back to the West Zone.

The CHAIRMAN. I notice it is difficult for you to come down here not knowing what we may question you about and then be questioned about something that you have not seen for eight or ten months, but just to refresh your recollection, you say the source was not evaluated and the information was not evaluated and I find this statement, and apparently this is the evaluation.

Col. MILLS. Maybe I was misunderstood there. I didn't know whether or not the statements had been evaluated, but the source itself I didn't recall as having been evaluated.

The CHAIRMAN. Let me read this to you. I am not trying to cross-examine you, but just to see if we can get together on what was in this document. Here is what I believe is Air Corps' evaluation of one phase of it:

The incident document (the scientist's report) indicates that the defectee had seen an entire film based on Oak Ridge, Tenn., the atomic energy location, while he was with Pirma (name of the Russian laboratory) in the Russian zone. The information he supplied concerning the film clearly indicates that he actually had seen it. It contained some technical data as well as some physical data.

This would seem to be an evaluation in which they say he clearly saw the document, no doubt about it, and I was wondering if you could make it any stronger than that.

Col. MILLS. In the one that I recall, sir, I don't recall that part.

The CHAIRMAN. That of course does not have to do with the Signal Corps, but with atomic energy, but I assume the Signal Corps made the film.

Col. MILLS. I did not see this, and I don't recall seeing this at all. The one that I saw stated that from the information that this source was able to give, it was obvious that he had had a close contact with something so that he was able to talk with knowledge of the particular type of equipment.

The CHAIRMAN. What you saw didn't indicate that it was the specific document, but indicated that he did have access?

Col. MILLS. He did have in his head knowledge of certain types of equipment that he could only have learned by scanning documents of some kind that had that information.

The CHAIRMAN. Documents, would you say, from our Signal Corps?

Col. MILLS. It might be, yes, sir.

The CHAIRMAN. I see.

Mr. COHN. I think we will let you tell us chronologically.

The CHAIRMAN. Let me ask one question first: You had nothing to do with the Signal Corps at the time of the alleged theft of the documents, the sixty-seven documents?

Col. MILLS. Well, sir, I have been in the Signal Corps all of my life, but I had no knowledge.

The CHAIRMAN. And you were not the commanding officer?

Col. MILLS. No, sir.

The CHAIRMAN. You would not be responsible for that situation?

Col. MILLS. No, sir.

The CHAIRMAN. Colonel, we have been talking about a document which purports to be a report by the Signal Corps intelligence of the Air Technical Intelligence. The information we have indicates that this contains a number of pages of typewritten material and a number of pages of drawings. There is also, I understand, a cable, and other documents involving this same subject, and I just wonder when you saw the documents whether you saw the cable or whether you saw the original report by air force intelligence.

Col. MILLS. The one I had, sir, was a copy of an intelligence report, of a portion that applied to telecommunications.

The CHAIRMAN. Did it have any drawings attached to it?

Col. MILLS. Not that I saw.

The CHAIRMAN. And this part that you saw was, would you say it was a summary of the report which applied only to telecommunications?

Col. MILLS. The part with reference to this source which had reference to certain types of radar equipment, but did not have drawings. As I recall, it didn't make half a page as we extracted it.

The CHAIRMAN. Well, this original report, and I may say I don't have the original report before me, but I merely have a summary of it, and the drawings here. I have what I think is the verbatim evaluation, I guess you would call it, of this defectee's information in so far as the film was concerned, and now let me ask you this: Would that film have been produced by the Signal Corps, do you think, or would you know?

Col. MILLS. I wouldn't have any way of knowing.

The CHAIRMAN. It might have been produced or might not have been produced?

Col. MILLS. It might have been done by Signal Corps or by some one else, at some other time.

The CHAIRMAN. I assume the Signal Corps does do some of the photographic work for the Atomic Energy Commission?

Col. MILLS. That I couldn't answer.

The CHAIRMAN. Let me just quote very briefly—I just think, Colonel, it would be unfair to ask you to evaluate a report before you have seen it and we are going into the record here. It is important that you being head of the Signal Corps not to make any over-evaluation or under-evaluation, and it is all a matter of record.

I wonder if it would be unfair to ask the colonel to try to testify on the subject until he has seen this report. I did not want to go into this in too much detail, Colonel, until you have seen it in its entirety, but let me give you this and have some additional information:

The information is on microfilm of blueprints of documents bearing the name of the Evans Signal Corps. He said that materials had actually been built from the documents. He indicated that the Russians could obtain any information that they desired from Evans Signal Corps Laboratory. This microfilm was seen by the defectee—

They are referring to the Oak Ridge microfilm.

while he was employed as a fee technician in a Russian development laboratory known as Parna in East Germany. He was employed there from January of 1949 until September of 1950.

Then there is considerable more here, but the thing that impressed me a great deal, and you understand I have no way of evaluating this except from the various material which is coming in since there has been some publicity on this, but the thing that impressed me was this evaluation by the Air Corps Intelligence where they say the information he supplied concerning the film clearly indicates that he actually had seen it and it contains much technical data as well as some physical.

Would you think, Colonel, would you think it is a safe assumption, if you can answer this question, from this air force intelligence report, a safe assumption that this defectee had information which originated from an American source, for which he should not have had?

Col. MILLS. The indications are all there, sir, one of the things that I would have liked to have had time to do, but I say I wasn't sure what I was coming up here for, was to determine whether the part of the report that I saw, and the things that were mentioned there, might have had reference to certain things that we had given on lend-lease or something of that sort, to help a little more on its evaluation. But at the time my main thought on this was to get it in the hands of someone who would take the necessary security action, and I was not so concerned with the equipment he was talking about, as I was to get some action on the thing and see that something was done about it.

The CHAIRMAN. I don't think we should ask you to go any further on that until you have had a chance to study the entire document and all of the reports on it. We have a report here some place and I do not know whether it is reliable or not, but it is an affidavit from an individual over in the Pentagon who says that the investigation of this was ordered discontinued by Col. Mills and the document was impounded in the safe of a Mr. Gerhart. Now, as I say, I don't know, I have no way of evaluating this affidavit, and it was just sent down to us, and I would rather not give the name of the officer who signed it, but could you tell us, number one, whether you ever did order this investigation discontinued, and if so if you could shed some light on that, or if you would rather wait until you check over the files and see just what action you did take.

Col. MILLS. I know the action that I took, sir, and I am very familiar with that, if I can give that to you in chronological order here. It will show what happened.

As I stated before, Captain Crashonk and Mr. Gerhart brought this particular portion of the document to my attention, and I ordered prepared an extract of that portion that had reference to these radar equipments and the microfilming, and I had a disposition form prepared to the security officer of the Office of the Chief Signal Officer, and in that referred it to him as something that required his action. That was on the 25th of September.

The CHAIRMAN. Who would that security officer have been?

Col. MILLS. I believe Major Jenista, and that was three days after the document was received in our agency. About that time I

made a trip to Europe and I was gone about a month, and on my return I asked about the action that had been taken and my executive officer immediately started checking, and he came back and I was not satisfied that it was going as fast as it should, and I prepared another extract of that, another disposition form, and this time addressed it to the deputy chief signal officer.

The CHAIRMAN. Is that General O'Donnell?

Col. MILLS. Yes, to the security officer, and I believe that was done at the time but my memory may be faulty, because General Back was out ill, and I think that was the reason for not sending it to General Back at the time.

The CHAIRMAN. When was this?

Col. MILLS. That follow-up was on the 21st of November, and we called attention to the previous disposition form that had been sent out, and the previous extract, and asked in this particular one that we be advised of the action to be taken.

Now, my organization has nothing to do with that. We referred it over there, and that is our channel.

The CHAIRMAN. It wasn't your function to conduct the investigation?

Col. MILLS. That is right.

The CHAIRMAN. But to refer it for the investigation.

Col. MILLS. That is right, and then on the 9th of December I got back what I term here an action copy on my disposition form from the security officer, stating that action was being taken to get this into proper channels and so forth. So I would have nothing to do with holding a document up or anything, and it was entirely out of my hands.

The CHAIRMAN. In other words, number one, you have no command over the individuals who would conduct the investigation, and all you can do is refer to them and say "investigate this."

Col. MILLS. That is right, and then of course another thing bearing on that was the actual date of this document, dating back in June. We assume and hope that somebody was taking some action prior to when I or my people got this.

Mr. COHN. Did you hear anything after December 9?

Col. MILLS. That would be hearsay, and I got nothing official.

The CHAIRMAN. I have a suggestion, and I believe this is of certainly sufficient importance to send one of our trusted investigators to Europe.

We heard quite a bit of testimony that was extremely disturbing and I would like to get your thought on it. The testimony of the head of one of the sections over there was in and testified that during the war there was no check on secret material that came into the Signal Corps and went out, and he said that anyone who had clearance could take it out and take it to his apartment at will. Asked the reason for that, he said it was because they were working sixteen or eighteen hours a day and didn't have time to log secret material in and out. He was asked what happened after the war ended, and he said then they tightened up a bit, and the tightening up apparently consisted of allowing any one with secrecy clearance to take material to his home or his apartment regardless of whether there was a safe in the apartment or what precautions should be taken, and he said that was tightened up a little bit

later, until as of today that he testified they had some kind of a pass system again and in one unit where he worked, fifteen out of the twenty-five people there had passes which enabled them to take material in and out at will, and no checking in. That was the situation as of a few days ago. That was somewhat in conflict with the testimony of the Commanding General Lawton, who said that he did not think that that was the situation, or should not be, and he said that they should not have the right to take secret material to their homes unless they had a three-combination safe, and the general was not the person who was physically present to watch this going on.

I assume these other witnesses would have no reason to come in here and lie about how that stuff was handled, and I wondered if that had been brought to your attention and if you have any comment on it.

Col. MILLS. I can't speak for Fort Monmouth, but in speaking of my own shop, that is not done. We have official couriers or we certify a particular person in my shop that may go to any one of the departments of the army, or navy, or other agencies of the government and get documents and bring them back to our place. The only people who have access after hours to my place are the division chiefs. They must be checked in by the navy who run a twenty-four-hour guard in our main navy building where our shop is located. No one goes out of there knowingly with a document.

The CHAIRMAN. You do not let them take it to their apartments?

Col. MILLS. No, sir; if they have work to do after hours, it is done under supervision in the shop, and these days with no overtime money, we don't do much of that.

The CHAIRMAN. I have got some difficulty just following the chain of command out here in the various laboratories at Fort Monmouth and Washington. What, if any jurisdiction, do you have over Evans Laboratory, or any of these laboratories?

Col. MILLS. I have none whatsoever.

The CHAIRMAN. You have no control?

Col. MILLS. No. The only tie-in between myself and those laboratories is that we get documents that we feel are of value to the research and development work being done in the laboratories.

The CHAIRMAN. And you have no responsibility for the other?

Col. MILLS. We dispatch them through our regular channels to those sources.

The CHAIRMAN. Here is something that we are very much interested in, also. I understand that approximately two years ago, or perhaps before you were in your present job, the Signal Corps in Washington was requested to make a search for a sizable number of top secret documents. They were sent a list with the documents listed, and they made a search, and they were unable to find fifty-seven of those documents. They looked for certificates of destruction, and no certificates of destruction were found. Then they checked for the log book or the registry, top secret registry, which would give them some indication of the content of the document, and they said that the three registry books in which these documents would normally be logged were all destroyed, with a statement that they were destroyed by a major and another officer.

The testimony of the security officer, the former security officer, the one in charge at that time, was that it was completely unprecedented to destroy a registry book; that it was never done. You could destroy the document if it was not needed, but not the registry book.

A representative of the army was here and said that they have been conducting a continuous search for the fifty-seven documents, and he said some of them had been located. However, when we went into it in some detail, he did not know whether merely duplicate copies had been located or whether the copy that had gone to the Signal Corps had been located or not, or whether the copies had never gone to the Signal Corps.

The Signal Corps security officer, or the army representative, said "When we sent this questionnaire over to the Signal Corps, it didn't mean that all of those documents went to the Signal Corps, and some of them might never have gone there."

The Signal Corps officer, however, said that was not true, and he said this was a list of documents to be charged to them.

So we asked the secretary of the army if he would not supply for us the master log book and someone who could explain it, which would show whether or not the fifty-seven top secret documents actually had been charged out to the Signal Corps or not.

Could you shed any light on that? If not, I wonder which of your officers could do that.

Col. MILLS. I might be able to give a little bit, sir. I came to Washington, as I say, two years ago, and at the time, and for some time prior to that, there was a board that had been appointed by the chief signal officer that had as its purpose, as I understand it, the drawing together of the loose ends that came up at the end of World War II. It was called the Ferry Board, for Lieutenant Colonel Ferry, who happened to be president of the thing. This board started out, as I understand it, as an inventory board to get together all of these top secret documents, or the records of what had happened to them, and so forth.

It took on, I believe, as a result of this missing fifty-seven documents, the job of trying to run that down, as well.

The CHAIRMAN. Could I ask you this: Am I correct in my information that this board was formed after some ten civilians working in the Signal Corps had petitioned the commanding officer, the security officer, to make such a search, and their allegation being or their suspicion being that there was espionage within the Signal Corps, and they thought that a search would show that secret material had been missing?

Col. MILLS. Well, that happened, sir, to be the agency that I commanded that was involved in that. I can't answer your question specifically, because I am not sure, but I believe that board was in operation prior to that time, and it was brought into the picture inasmuch as they were doing that kind of work. They visited my agency and found no discrepancy in the records at that time.

The CHAIRMAN. Where were those fifty-seven documents missing from?

Col. MILLS. I haven't any idea, and they weren't in the Signal Corps Intelligence Agency, and we could account for everything that was there the day I got there.

The CHAIRMAN. As far as the fifty-seven documents were concerned, at this time you are not in a position to give us any detailed information?

Col. MILLS. Again, it would just be hearsay.

The CHAIRMAN. Again I do not know whether I am asking the right individual because of your chain of command, which is something that I cannot follow, to tell you the truth, but I wonder if you could do this for us: I wonder if you could assign someone to get the information as to who would be in possession of the log book, that is, the master log book which would show whether or not the fifty-seven ever went to the Signal Corps?

Col. MILLS. The person who would know the answer best on that would be this Lieutenant Colonel Ferry, because he looked at all of those books. Now, they are not all in one place. Some of them are in the office there.

Mr. RAINVILLE. I missed some of this, so maybe I just didn't follow here, but I understood you to say when you came in two years ago, that the Signal Corps had every item accounted for.

Col. MILLS. No, don't misunderstand me. I am not talking for the Signal Corps. I am talking for the Signal Corps Intelligence Agency.

Mr. RAINVILLE. And that would include these fifty-seven documents?

Col. MILLS. I don't have any idea.

Mr. RAINVILLE. But if it did include them, there would be a place where they had gone; if they were gone you would know where they had gone to?

Col. MILLS. That is correct.

Mr. RAINVILLE. And that is what Lieutenant Colonel Ferry will know, whether those fifty-seven are in there?

Col. MILLS. That is right.

Mr. COHN. Thank you very much, Colonel, for coming up.

The CHAIRMAN. Raise your right hand and be sworn.

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Maj. GALLAGHER. I do.

TESTIMONY OF MAJ. JAMES J. GALLAGHER

Mr. COHN. Will you give your full name?

Major GALLAGHER. James J. Gallagher.

Mr. COHN. Where are you stationed now, Major?

Maj. GALLAGHER. I am stationed with G-2, Department of the Army, Pentagon, Washington.

Mr. COHN. What is the nature of your duties?

Maj. GALLAGHER. I am in the Special Operations Branch of the Security Division. My duties are to do whatever my superiors request.

Mr. COHN. Have you ever been stationed out at Monmouth?

Maj. GALLAGHER. No, sir.

Mr. COHN. Have you had occasion to visit there?

Maj. GALLAGHER. Yes, sir.

Mr. COHN. About when?

Maj. GALLAGHER. During 1952 and 1953 until August of this year.

Mr. COHN. Can you tell us the number of security cases involved at Monmouth?

Maj. GALLAGHER. I don't believe, Mr. Cohn, under my understanding of the presidential directive of 1948, that I can discuss the number of cases.

The CHAIRMAN. I understand the position will be that if there is any information about the various cases or the number of cases or the disposition of them, under the Truman black-out order—the major did not sign that order and he is not responsible for it—while I think it is ridiculous in the extreme, we cannot order you to answer and put you in a position of being either in contempt of the committee by refusing, or subject to court martial if your superior officers think you went too far.

The secretary can relieve you of the provisions of that order, of course, the secretary of the army.

May I make this suggestion—and I promised I would get through by four o'clock. How about the major discussing with the staff whatever he thinks he can give them, and I think it will relieve going through a lot of procedure.

[Whereupon, at 4:00 p.m., the hearing was recessed until 7:00 p.m. of the same day.]

EVENING SESSION

[7:40 p.m.]

The CHAIRMAN. Mr. Ullmann, you have been sworn, and you are reminded your oath is still in effect.

Mr. ULLMANN. Yes, sir.

TESTIMONY OF MARCEL Ullmann (RESUMED)

Mr. COHN. Have you obtained counsel?

Mr. ULLMANN. No, I have not.

Mr. COHN. Have you consulted counsel?

Mr. ULLMANN. I have.

Mr. COHN. What counsel did you consult?

Mr. ULLMANN. Well, I contacted attorneys, but there wasn't enough time. One of them refused the case, one or two.

The CHAIRMAN. The question is: Who did you contact?

Mr. ULLMANN. I contacted Rothbard, Harris & Oxfeld.

The CHAIRMAN. What is their address?

Mr. ULLMANN. 744 Broad Street, Newark.

The CHAIRMAN. Newark, New Jersey?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Did they turn down the case?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. What is the next firm?

Mr. ULLMANN. Then I went to Koehler, Augenblick & Freedman, 14 Edison Place, Newark. Mr. Koehler seemed to be interested in taking the case, but we couldn't get together, that is, I contacted him several times during the day, and finally arranged to see him in the afternoon, and had to leave; and I tried to see him this morning, but I had to get in, and that is that. I did call him during the day and said if necessary I would try to contact him. And then

I contacted the American Civil Liberties Union, and I spoke to Mr. Foster and to Mr. Levy there, and they suggested I contact a Mr. Casper, and I spoke to him and he said he had a case today, and if I could get to him during the afternoon, and I told him I had to be in New York in the morning.

The CHAIRMAN. Do you want more time to get a lawyer? If you want more time, you are entitled to more time.

Mr. ULLMANN. I spent all day here, and so may I proceed; and if it gets out of control, I will plead for more time.

The CHAIRMAN. Number one, you are entitled to more time if you want it, and you are entitled to a lawyer. If you want to, we will proceed with the questioning, and if the time comes that you want an adjournment to get a lawyer, we will give you that adjournment.

Mr. ULLMANN. I appreciate that.

The CHAIRMAN. We asked you certain questions the other day, which you refused to answer and you were ordered to answer them. Are you prepared to answer them today, or do you still refuse?

Mr. ULLMANN. Well, may I ask you, sir, to repeat the question?

The CHAIRMAN. Do you recall which questions you refused to answer and wanted legal advice on?

Mr. ULLMANN. I believe there were two, sir.

The CHAIRMAN. What were they?

Mr. ULLMANN. I don't know. The last one, I know, was that you asked me if I knew Dean Acheson, and I said—

The CHAIRMAN. Did you refuse to answer?

Mr. ULLMANN. Well, I didn't know. At that point it wasn't a refusal. I requested at that time—

The CHAIRMAN. You can change your answer, and I will re-ask the question if you want me to.

Mr. ULLMANN. I didn't refuse it. At that point I thought it would be best to seek advice, if I recall.

The CHAIRMAN. Do you still want to seek advice on whether or not you can answer?

Mr. ULLMANN. If you will put the question to me.

The CHAIRMAN. The question is very simple. I asked you if you knew Dean Acheson.

Mr. ULLMANN. May I inquire, could you identify Dean Acheson?

The CHAIRMAN. Do you know who Dean Acheson is?

Mr. ULLMANN. I have heard of a Dean Acheson who was former secretary of state.

The CHAIRMAN. All right.

Mr. ULLMANN. Is that the Dean Acheson, sir?

The CHAIRMAN. Yes, that is the Dean Acheson.

Mr. ULLMANN. I will say that I do not and I did not know Dean Acheson.

The CHAIRMAN. You never had any contact with him, directly or indirectly?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Why did you refuse to answer that the other day, then, and why did you tell us that it would incriminate you if you answered that?

Let me say this: While I have no admiration for Dean Acheson, it is completely dishonest for you to invoke the Fifth Amendment

when you are asked if you know him, when you know you don't know him. That makes you in contempt of this committee.

Mr. ULLMANN. Yes, sir, but I did not refuse to answer that, and I inquired whether I could consult counsel, and I believe that is the record.

The CHAIRMAN. You say you did not refuse to answer?

Mr. ULLMANN. I said I wanted to consult counsel before I committed myself.

The CHAIRMAN. Are you a Communist as of today?

Mr. ULLMANN. That, sir, I must respectfully decline to answer on the grounds that a truthful answer may tend to incriminate me.

The CHAIRMAN. Do you feel if you were to tell us the truth about whether you are a Communist today, that might tend to incriminate you?

Do you understand that you are entitled to the privilege of the Fifth Amendment if you feel that a truthful answer would tend to incriminate you, and you are not entitled to the privilege if you feel that perjury would incriminate you? You have got no right to come here and perjure yourself. So I now ask you the simple question, and it seems to confuse you—the question is: Do you feel that a truthful answer to that question might tend to incriminate you?

Mr. ULLMANN. Sir, I am afraid, sir, that a truthful answer, sir, may tend to incriminate me.

The CHAIRMAN. You understand that if you are not a member of the Communist party today, you could simply say "no," and that would not incriminate you; you understand that, do you not?

Mr. ULLMANN. Well, I believe I understand you, sir.

The CHAIRMAN. Is that correct? Do you understand the fact that if you are not a member of the Communist party today, then you merely say "no, I am not," and that truthful answer could not incriminate you. If someone says to me, "McCarthy, are you a Communist?" if I am not I say no, and I cannot be incriminated. You are in the same status. I just wanted to know if you understand that when I asked you this question. Do you understand that?

Mr. ULLMANN. Yes, sir, I understand.

The CHAIRMAN. Have you engaged in espionage?

Mr. ULLMANN. Sir, I must invoke the protection afforded to me under the Fifth Amendment.

The CHAIRMAN. Then let me ask you this question: Within the past five weeks, have you been closely associated with, had contact with people whom you knew or had reason to believe were either Communists or espionage agents?

Mr. ULLMANN. Sir, I must decline to answer on the grounds of the Fifth Amendment, sir, that a truthful answer may be inclined to incriminate me.

The CHAIRMAN. You were asked the question the other day: Did you know Owen Lattimore?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. I will ask you again: Did you know Owen Lattimore?

Mr. ULLMANN. I must again invoke the protection of the Fifth Amendment, sir.

The CHAIRMAN. I want to tell you something, mister, that if you did not know him, and if that can be proven, then you are in con-

tempt of this committee, and when you say you refuse to tell us whether you knew him or not, you are indicting Mr. Lattimore.

Again, while I have no respect for him, no man has a right to come here before this committee and use the Fifth Amendment to indict people. I just want you to know that if it can be proven that you do not know him, then you are in contempt of this committee and we will invoke contempt proceedings against you.

With that knowledge in mind, I again ask you: Do you know Owen Lattimore? You can change your answer if you like, or stick to the same answer, I do not care. Do you understand if you do not know him, you merely say "No, I do not," and you cannot be incriminated. Do you understand that, sir?

Mr. ULLMANN. Do I understand, sir, that if I change my answer—

The CHAIRMAN. You have a right to have your previous answer stricken from the record.

Mr. ULLMANN. Well, in that case, sir, no, to the best of my knowledge I do not and never did know Owen Lattimore.

The CHAIRMAN. We will let you change those answers, but I just wanted to advise you that from now on when you invoke the Fifth Amendment, you only invoke it when you feel a truthful answer will tend to incriminate you. You invoke it otherwise, and I want to promise you that you will live to learn what the Fifth Amendment means. Do you understand that?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. All we want from you is the truth, and if you feel the truth will convict you, you can refuse to answer.

Mr. ULLMANN. Well, you see, sir, I have no means of ascertaining how effective an answer of mine might be made, and therefore to be sure that I do not jeopardize myself, I must therefore cover myself by protection of the Fifth. There is no intention not to cooperate, but I simply cannot jeopardize myself, sir.

The CHAIRMAN. Did you ever steal classified material and turn it over to members of the Communist party?

Mr. ULLMANN. On that, sir, I must avail myself of the Fifth.

The CHAIRMAN. You understand, again, if you did not steal material—

Mr. ULLMANN. I beg your pardon?

The CHAIRMAN. If you did not steal such material, you can simply say, "No, I have not," and that would not incriminate you.

Mr. ULLMANN. Yes, sir, I understand that. However—

The CHAIRMAN. Do you feel that the truth might tend to incriminate you? If you do, you are entitled to the privilege. Do you feel that the truth might tend to incriminate you?

I may say, I think it would.

Mr. ULLMANN. Yes, sir, I know it will. I beg a moment to consider.

The CHAIRMAN. If you want a lawyer, we will adjourn so you can have one. This is of great importance to you, too.

Mr. ULLMANN. Yes, sir, I do know that.

The CHAIRMAN. Do you want me to re-ask that question?

Mr. ULLMANN. I must avail myself of the protection offered by the Fifth Amendment.

The CHAIRMAN. You are entitled to avail yourself of it if you feel a truthful answer would incriminate you.

Mr. ULLMANN. A truthful answer may tend to incriminate me, sir and I don't know.

The CHAIRMAN. Did you know Julius Rosenberg? If you did not, just tell us "no," and if you did and if you knew him in some fashion that would involve you in criminal action, you are entitled to refuse to answer. If you did not know him, all you need to do is say "no."

Mr. ULLMANN. I recognize that, sir, except that I do know, after all, it so happens I am a television service man, and I did watch the hearings, certain of the previous hearings on the air, and I have read the papers.

The CHAIRMAN. Do you know Julius Rosenberg? I do not care about your reading the papers. Did you know him? Did you know Julius Rosenberg?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

The CHAIRMAN. Do you think if you told us the truth, it might tend to incriminate you?

Mr. ULLMANN. It is possible, sir, I am afraid.

The CHAIRMAN. If you think it would tend to incriminate you—

Mr. ULLMANN. It may tend to incriminate me.

The CHAIRMAN. Not "may." The Constitution says "might."⁷

Do you feel it might?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Did you turn secret material over to Julius Rosenberg?

Mr. ULLMANN. I must again avail myself of the Fifth.

The CHAIRMAN. Did you attend Communist party meetings?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

The CHAIRMAN. Do you refuse to answer? Do you refuse to answer on the ground of self-incrimination?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. How old are you now?

Mr. ULLMANN. I am forty-seven.

The CHAIRMAN. Are you married?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. How old is your wife?

Mr. ULLMANN. I think she is thirty-six, sir.

The CHAIRMAN. How long have you been married, roughly?

Mr. ULLMANN. Twelve or thirteen years.

The CHAIRMAN. Is this your first wife?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. You have never been married before?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Is your wife a Communist?

Mr. ULLMANN. I must avail myself of the Fifth Amendment, sir.

⁷ Amendment V reads: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offenses to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

The CHAIRMAN. Was your wife a Communist when you married her?

Mr. ULLMANN. I must avail myself of the Fifth Amendment, sir.

The CHAIRMAN. You mean, when you say you must avail yourself of the Fifth, that you are refusing to answer?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Is that right?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. On the ground of self-incrimination?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Were you an espionage agent when you were handling secret material over at the Army Signal Corps?

Mr. ULLMANN. I must decline to answer on the grounds that a truthful answer may tend to incriminate me, sir.

The CHAIRMAN. Did you ever pass secret material to members of the Communist party when you were working at the Signal Corps?

Mr. ULLMANN. I must decline to answer, sir, on the grounds stated.

The CHAIRMAN. The Fifth Amendment?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Before you married your wife, where did you live?

Mr. ULLMANN. I lived in Brooklyn.

The CHAIRMAN. Where is that?

Mr. ULLMANN. Flatbush.

The CHAIRMAN. And the address?

Mr. ULLMANN. 1414 Avenue R.

The CHAIRMAN. Who lived with you?

Mr. ULLMANN. I lived with my mother and brother.

The CHAIRMAN. No one else?

Mr. ULLMANN. My dad was alive at the time, yes, sir.

The CHAIRMAN. Did you ever room with anyone other than members of your family?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Did you ever room with any members of the Communist party?

Mr. ULLMANN. No, sir.

The CHAIRMAN. Did you ever check into a hotel room with someone whom you knew as a member of the Communist party?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

The CHAIRMAN. Now, it is a fact that on at least—and I emphasize “at least”—four different occasions, you checked into a hotel room and spent the night or the weekend with individuals whom you knew to be Communist espionage agents; that is correct, is it not?

Mr. ULLMANN. I must avail myself of the Fifth Amendment, sir.

The CHAIRMAN. You mean if you tell us the truth on that, that might tend to incriminate you?

Mr. ULLMANN. Yes, sir.

The CHAIRMAN. Did you not check into hotel rooms with espionage agents for the purpose of passing on to them secret material from the Signal Corps laboratories?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

The CHAIRMAN. I have nothing further of this witness.

Mr. COHN. Were you head of a chapter of the United Public Workers of America union?

Mr. ULLMANN. Yes, sir; that is, a local, sir.

Mr. COHN. Did you hold that position at the direction of the Communist party?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

Mr. COHN. Did you know a man in that union by the name of Yamins, Hyam G. Yamins, Y-a-m-i-n-s?

Mr. ULLMANN. I must avail myself of the Fifth Amendment.

Mr. COHN. Was he a member of the Communist party?

Mr. ULLMANN. I must avail myself of the protection under the Fifth.

The CHAIRMAN. You understand if Yamins is not a member—was Yamins known to you as a member of the Communist party?

Mr. ULLMANN. I must avail myself of the Fifth, sir.

The CHAIRMAN. Since you have no lawyer here, let me tell you again, if we discover that Yamins was not known to you as a member of the Communist party, I intend to have you cited for contempt. I am not going to have you Communists play around with the Fifth Amendment. It is a simple question: Did you know Yamins was a member of the Communist party? If you had no knowledge he was a member of the Communist party, simply say "no," and it cannot incriminate you.

Mr. ULLMANN. It can incriminate me.

The CHAIRMAN. Not if he was not, if you know he was not; and if you know he was a member, then you have got the right to refuse. If Yamins was a member of the Communist party and known to you as such, or known to you as engaged in espionage, you have a right to refuse to answer. You cannot involve an innocent man by this refusal.

Mr. ULLMANN. You have brought out certain questions which I believe are not factual, and apparently I don't know what anyone else may say that may counter my word, and therefore, since I can't be sure, all I can do is avail myself of the protection under the Fifth, sir, because I can't be sure of anything, sir.

The CHAIRMAN. You mean that you are availing yourself of the Fifth Amendment because you are afraid someone might lie about you?

Mr. ULLMANN. Possibly. I have no means—

The CHAIRMAN. You are not entitled to the privilege—

Mr. ULLMANN. I am afraid that I might be incriminated, and therefore I must avail myself of the Fifth, because anything I may say may be a witness against me, I don't know, sir.

The CHAIRMAN. You are not entitled to any privilege, because you say someone might lie about you.

Mr. ULLMANN. I don't know whether they will lie.

The CHAIRMAN. You are only entitled to the Fifth Amendment privilege—listen to me now—you are only entitled to the Fifth Amendment privilege if the truth might send you to jail. Do you understand that? It might result ultimately in your going to jail.

The question is: Was Yamins known to you as a member of the Communist party?

Mr. ULLMANN. I must avail myself of the Fifth.

The CHAIRMAN. If he was, you are entitled to refuse. Pardon me for interrupting. I just want to let you know, again, that we are going to make sure this Fifth Amendment privilege is not abused, and if we find that you had no knowledge that Yamins was a member of the Communist party, and if Yamins can produce proof that he was not a member of the Communist party, then you are going to be cited for contempt.

Mr. ULLMANN. If he can present proof, how does that reflect on me, and how do I know whether or not he may have been, and how can I answer that, sir?

The CHAIRMAN. If you have no knowledge he was a member, you merely say "no," and it is very simple. I asked you a simple question: If you have any knowledge that Yamins was a member of the Communist party. And if you have such knowledge, then you can refuse to answer. If you do not have such knowledge then you must answer the question.

You may step down. Let the record show the witness sat mute and refused to answer, and we will cite him for contempt.

Mr. ULLMANN. I was thinking, sir.

The CHAIRMAN. You may step down. You will consider yourself under subpoena, and we will notify you when you are to reappear.

The CHAIRMAN. Will you raise your right hand and be sworn?

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ZUCKERMAN. I do.

TESTIMONY OF BENJAMIN ZUCKERMAN

Mr. COHN. Will you give your full name, please?

Mr. ZUCKERMAN. Benjamin Zuckerman, Z-u-c-k-e-r-m-a-n.

Mr. COHN. Where do you reside, Mr. Zuckerman?

Mr. ZUCKERMAN. 1302 Turner Avenue, Wanamassa, New Jersey.

Mr. COHN. What is your occupation at the present time?

Mr. ZUCKERMAN. I am an electronic engineer.

Mr. COHN. Where are you employed?

Mr. ZUCKERMAN. Video Products Corporation, Red Bank, New Jersey.

Mr. COHN. For how long a period of time have you been there?

Mr. ZUCKERMAN. A year and a half.

Mr. COHN. Do they do any government work?

Mr. ZUCKERMAN. They do. I think they have now one very small government contract.

Mr. COHN. From what department?

Mr. ZUCKERMAN. I believe it is from the Signal Corps.

Mr. COHN. Now, what type of project is that?

Mr. ZUCKERMAN. That is a power unit.

Mr. COHN. Involving radar?

Mr. ZUCKERMAN. No. It is an unclassified project.

Mr. COHN. A power unit?

Mr. ZUCKERMAN. Yes.

Mr. COHN. Let me ask you this: Where were you working before the year and a half, prior to that time?

Mr. ZUCKERMAN. I was working at the Rome Air Development Center, in Rome, New Jersey.

Mr. COHN. On the air force payroll?

Mr. ZUCKERMAN. I was.

Mr. COHN. As a civilian?

Mr. ZUCKERMAN. That is right.

Mr. COHN. For how long were you at Rome?

Mr. ZUCKERMAN. I was at Rome for three months, I believe.

Mr. COHN. Where were you prior to that?

Mr. ZUCKERMAN. I was down at Watson Laboratories.

Mr. COHN. With the air force?

Mr. ZUCKERMAN. Before they moved to Rome.

Mr. COHN. And where were you prior to that?

Mr. ZUCKERMAN. Prior to that, I was inspector with the air force, and I was stationed at the General Electric Company in Syracuse, New York.

Mr. COHN. Did you ever work for the Signal Corps?

Mr. ZUCKERMAN. Yes, sir, I did.

Mr. COHN. When?

Mr. ZUCKERMAN. I worked for the Signal Corps from—well, from November of 1940 until the time that—

Mr. COHN. The Watson Laboratory?

Mr. ZUCKERMAN. No, until the time that the air force established itself as a separate unit, and they took our group and we shifted over to the air force.

Mr. COHN. When would you say that was?

Mr. ZUCKERMAN. I imagine that was around 1945, and I was an inspector all of this time.

The CHAIRMAN. I think your dates are wrong. The air force did not become a separate group in 1945. I think it was 1947, was it not?

Mr. ZUCKERMAN. It couldn't have been, because I came down to Watson Laboratories—

The CHAIRMAN. Just to refresh your recollection, I did not get into the Senate until 1947, and I know I voted for the National Security Act, which established the air force as a separate entity.

Mr. ZUCKERMAN. If you can refresh my memory, when was the war over with Japan?

The CHAIRMAN. V-J Day was in September of 1945; and V-E Day was in the spring of 1945.

Mr. ZUCKERMAN. In September of 1945, I know as inspectors in Syracuse, we were working out of a different office, and it was an air force office. The air force might not have been a separate entity yet.

Mr. COHN. When did you go to New Jersey in the 40's?

Mr. ZUCKERMAN. I went to New Jersey, it was shortly after the end of the war, and I imagine a couple of months.

Mr. COHN. In 1945?

Mr. ZUCKERMAN. 1945 or 1946.

Mr. COHN. How long did you stay there?

Mr. ZUCKERMAN. I stayed there until I moved to Rome, which was about one year and nine months ago, about.

Mr. COHN. About 1945 to sometime in 1951, or late '51 or early '52?

Mr. ZUCKERMAN. About that.

Mr. COHN. At any time that you worked for the air force or the Signal Corps, did you have access to classified material?

Mr. ZUCKERMAN. I did, when I was working for the air force; and when I was working for the Signal Corps, I am quite sure I was cleared for confidential material, but as an inspector we inspected production items, and most all production items were not classified once they went into production.

Mr. COHN. Let me ask you this: What college did you attend?

Mr. ZUCKERMAN. CCNY.

Mr. COHN. What year did you graduate?

Mr. ZUCKERMAN. In 1938.

Mr. COHN. Did you know a man by the name of Morton Sobell?

Mr. ZUCKERMAN. Yes, I did.

Mr. COHN. Where did you first meet him?

Mr. ZUCKERMAN. I first met him in school.

Mr. COHN. At City College?

Mr. ZUCKERMAN. Yes, sir.

Mr. COHN. Was he in your class?

Mr. ZUCKERMAN. He was in a number of my classes.

Mr. COHN. How well did you know him?

Mr. ZUCKERMAN. I knew him fairly well at City College.

Mr. COHN. Did you know him socially?

Mr. ZUCKERMAN. I didn't know him socially.

Mr. COHN. Just from seeing him around class?

Mr. ZUCKERMAN. Just in class, and in discussing technical topics, why, a number of the fellows would discuss them, and I often discussed technical subjects with him.

Mr. COHN. Who would you say was in that clique with you and Sobell?

Mr. ZUCKERMAN. I wasn't in a clique with Sobell. I discussed technical subjects with him.

Mr. COHN. Who else participated in these subjects?

Mr. ZUCKERMAN. Most of the members of the class.

Mr. COHN. Weren't there any in particular?

Mr. ZUCKERMAN. I know one fellow who I went all through school with, a fellow by the name of Hellman.

Mr. COHN. What was his first name?

Mr. ZUCKERMAN. Henry Hellman.

Mr. COHN. Anybody else?

Mr. ZUCKERMAN. He was my closest associate.

Mr. COHN. Did he know Sobell well?

Mr. ZUCKERMAN. He knew him about as well as I did.

Mr. COHN. Has he ever worked for the government?

Mr. ZUCKERMAN. No, Hellman never has worked for the government.

Mr. COHN. Where is he now?

Mr. ZUCKERMAN. He works for Lummus Company.

Mr. COHN. Where is that?

Mr. ZUCKERMAN. In New York City. I think they build oil refineries.

Mr. COHN. Now, who else do you associate with Sobell in college days?

Mr. ZUCKERMAN. Well, I remember a man by the name of Breitner, B-r-e-i-t-z-e-r.

Mr. COHN. He works out at Monmouth, does he not?

Mr. ZUCKERMAN. I lost sight of Breitner after I graduated, and I don't know where he works.

The CHAIRMAN. May I suggest the record show that the Sobell you are referring to is the Sobell who has been convicted of espionage and sentenced to thirty years. He was part of the Rosenberg spy ring. You understand that is the Sobell that we are talking about?

Mr. ZUCKERMAN. Oh, yes, of course,

Mr. COHN. Anybody else you associate with Sobell?

Mr. ZUCKERMAN. With Sobell? When I said Breitner, I am very sorry, because I associate him more with me.

Mr. COHN. Who do you associate with Sobell?

Mr. ZUCKERMAN. I associate a man by the name of Sussman.

Mr. COHN. Nathan Sussman?

Mr. ZUCKERMAN. Yes, sir. And I kind of remember him with Sobell at school. Well, it is pretty hard to remember right now. He and Rosenberg must have been chummy, but I can't remember him very well.

Mr. COHN. Did you know Rosenberg?

Mr. ZUCKERMAN. He was in about one or two of my classes.

Mr. COHN. Did you know him?

Mr. ZUCKERMAN. If I saw him I knew him, and I never had anything to do with him.

Mr. COHN. Did you associate him with Sobell?

Mr. ZUCKERMAN. It is hard to say now. Of course, he must have been associating with Sobell, but I can't recollect away back.

Mr. COHN. Did you know Sobell was a Communist?

Mr. ZUCKERMAN. No; I knew he had radical tendencies, the man had a reputation, but I didn't know he was a Communist.

Mr. COHN. You knew him, and you had discussions with him, and all of that, and wasn't it quite clear to you that he held Communist views?

Mr. ZUCKERMAN. We didn't discuss political matters.

Mr. COHN. Never?

Mr. ZUCKERMAN. No, I never did.

Mr. COHN. You never have?

Mr. ZUCKERMAN. I never discussed political matters with him.

Mr. COHN. Your sworn testimony is you never discussed political matters with Morton Sobell?

Mr. ZUCKERMAN. No, sir.

Mr. COHN. Did you ever discuss communism with him?

Mr. ZUCKERMAN. No, I never discussed communism.

Mr. COHN. If anybody says you did and that he was present at such a discussion, that person is not telling the truth?

Mr. ZUCKERMAN. Well, why—

Mr. COHN. That person is not telling the truth?

Mr. ZUCKERMAN. Yes.

The CHAIRMAN. I should tell you for your protection, since you have no lawyer, that we have considerable evidence to the effect that you and Sobell did discuss communism repeatedly, and I am not trying to tell you that you are not telling the truth and they are. I am just telling you this for your protection.

Mr. ZUCKERMAN. Well, let me put it this way—

The CHAIRMAN. You can govern yourself accordingly.

Mr. ZUCKERMAN. It is pretty hard for me to remember a way back, but so far as I know, I can't recollect any discussions at the moment that were of enough importance for me to remember them now.

Mr. COHN. You did have the impression that he had pretty radical views, is that right?

Mr. ZUCKERMAN. He was known to have radical views, sure.

Mr. COHN. Did he ever take you to a meeting of the Young Communist League?

Mr. ZUCKERMAN. He never did.

Mr. COHN. Did he ever take you to any meeting?

Mr. ZUCKERMAN. No, he never did.

Mr. COHN. You never went to any meeting?

Mr. ZUCKERMAN. No, absolutely not.

Mr. COHN. Did he ever ask you to go to any meeting?

Mr. ZUCKERMAN. He never did.

Mr. COHN. Did he ever ask you to join the Young Communist League?

Mr. ZUCKERMAN. No, he never did.

Mr. COHN. Or the Communist party?

Mr. ZUCKERMAN. No.

Mr. COHN. Did your association with Sobell end when you left college?

Mr. ZUCKERMAN. No, it did not.

Mr. COHN. By the way, when did you first get the impression Sobell had these very radical views?

Mr. ZUCKERMAN. I can't pinpoint it, but I imagine when I was a sophomore, I think was the time he was in my class, and he was pretty loud, and people kind of said that it was well known that he was pretty radical. There were a lot of radical boys at schools in those days, and some of them were known definitely as Communists, and others with just radical tendencies.

The CHAIRMAN. When, if ever, did you first have a suspicion Sobell was a Communist?

Mr. ZUCKERMAN. Well, probably around my sophomore year, and to tell you the truth, I didn't particularly think about those things, and I didn't look at a person and ask myself whether this man is a Communist or not. There were certain students that were in the forefront of various radical activities, and some of them were Communists and others were not.

Now, I don't know which ones were and which ones were not, but I do remember that Sobell was involved in that radical activity.

The CHAIRMAN. When did you first—we are just trying to get the truth and the facts.

Mr. ZUCKERMAN. I am trying to give it to you. It is fourteen or fifteen years now, and it is pretty difficult.

The CHAIRMAN. You are here today to give us some information about Sobell, and we hoped you might have some, and some of his friends.

Mr. ZUCKERMAN. I am trying to the best of my ability, if I can.

The CHAIRMAN. I am just asking you—and this isn't a trick question or anything like that—I am just asking you, when did you first have reason to believe he was a Communist?

Mr. ZUCKERMAN. Well, I probably could have had reason to believe he might be a Communist in my sophomore year. That is about the best way I can answer that question.

The CHAIRMAN. When were you pretty well convinced he was a Communist?

Mr. ZUCKERMAN. Well, I was never pretty well convinced he was a Communist, and as a matter of fact in his later years he became very quiet in school. You see, he was immersed completely in technical work, and you never saw him associated with those movements that you did in the earlier years at school, and so if somebody would have asked me by the time I was graduating whether I thought Sobell was a Communist, I would have said no.

The CHAIRMAN. Did you ever decide in your own mind that Sobell perhaps was a Communist?

Mr. ZUCKERMAN. Well, if somebody told me that he was a Communist—

The CHAIRMAN. I am just asking you if the time ever came when you, yourself, decided in your own mind that he was perhaps a Communist?

Mr. ZUCKERMAN. Yes, when they brought him in.

The CHAIRMAN. When he was tried and convicted?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. Well, before that had you ever decided he might be a Communist?

Mr. ZUCKERMAN. Well, he might have been, yes, but to pinpoint a man as a Communist is a rather definite thing.

The CHAIRMAN. I am just asking you, not whether he was; I am asking you when, if ever, you in your own mind first decided, "I think this man may be a Communist"?

Mr. ZUCKERMAN. Well, as I say, in his sophomore year, my sophomore year, probably at that time if I had thought about it—and I really didn't think about those things too much in those days—I could have decided.

The CHAIRMAN. Did you keep up your social contact with him after you left school?

Mr. ZUCKERMAN. Well, suppose I give you the extent of my association with him after I left school. I want to give you the information, and I gave it to the FBI already, so I might as well go right into it.

When I left school, I went to the University of Michigan to take postgraduate work, and I roomed with Aaron Coleman out there, and we both were taking advanced degrees; and after being there for about two months, I got an offer of a job down in Washington in the government, and I went and took the job.

After I got down there, why, I stayed at the YMCA, and there I met some members of my graduating class, Stanley Rich, Max Elitcher, William Danziger, and Edward Hillman, who wasn't a member of my graduating class.

Mr. COHN. Was this in Washington, D.C.?

Mr. ZUCKERMAN. Yes, sir.

Mr. COHN. What were those names again?

Mr. ZUCKERMAN. Stanley Rich, and William Danziger, and Max Elitcher, and then there was Edward Hillman.

Mr. COHN. Did Hillman ever work for the government?

Mr. ZUCKERMAN. Yes. If you will permit me, I will go into that. And there was a Frank Hashmall there, H-a-s-h-m-a-l-l, and he wasn't from City College. All of those boys were working in the Bureau of Ordnance, and all received jobs at the same time I did, approximately, except for Hashmall. He was at the Federal Power Commission.

After we had been at the Y for a few days, Mr. Rich, it was, that suggested that we find better living quarters, and he rented a large house, and I agreed to live there with them. And after we had been at this house for about a month or so, about a month, maybe even less, Morton Sobell got a job at the Bureau of Ordnance, and he came down, and he came down and lived in that house too.

Mr. COHN. This is Sobell?

Mr. ZUCKERMAN. I stayed at the house for probably another two months, but I didn't particularly care for it.

Mr. COHN. Who was living with you?

Mr. ZUCKERMAN. All of those boys.

Mr. COHN. And Elitcher?

Mr. ZUCKERMAN. That is right. And shortly after, Mrs. Danziger came down, and Mrs. Rich came down, too. Well, I didn't care for it very much, and I left after a couple of months, and I found my own room.

Mr. COHN. Before you left, before we leave that point, were all or any of the persons you have named Communists?

Mr. ZUCKERMAN. To my knowledge, I didn't know of anyone there who was a Communist. Now, of the boys that were there, if somebody had suggested that perhaps Sobell might have been, I wouldn't have disputed him very much, and I thought that that would be a possibility; and I would also have thought that it would be possible for Rich to have been a Communist, from their reputations at school. The others, however—and I know now that I have been wrong—namely, Elitcher and Danziger, I didn't have the slightest idea that they were Communists.

The CHAIRMAN. You know now that they were, do you not?

Mr. ZUCKERMAN. I know that Elitcher became a Communist sometime later, as he testified in court, and he was not a Communist at that time.

The CHAIRMAN. He joined the party, but he was not a party member? He was a Communist but he was not a party member?

Mr. ZUCKERMAN. I doubt he was a Communist at that time. As a matter of fact, I was very sure of it, because from what I knew of him at school, he never seemed to have any opinion about anything.

The CHAIRMAN. At any event, without spending too much time on it, it developed later that all of those who lived with you were members of the Communist party; is that right?

Mr. ZUCKERMAN. I really don't know. I don't know if Danziger is a Communist, and I don't know if Hashmall is.

The CHAIRMAN. How about Danziger? There is no question in your mind about Danziger?

Mr. ZUCKERMAN. Danziger, I have no idea.

Mr. COHN. Danziger testified at the Rosenberg trial.

Mr. ZUCKERMAN. I don't know what he said exactly, and I know Elitcher said he was a Communist at the trial, but I don't know about Danziger.

The CHAIRMAN. Wasn't Hashmall a leader of the Communist party?

Mr. ZUCKERMAN. I knew practically nothing about him.

The CHAIRMAN. In Cincinnati, Ohio?

Mr. ZUCKERMAN. He was kind of a shadowy figure, and I hardly ever spoke to him, and he stayed in another room. I roomed with Hillman.

Mr. CARR. Could you describe Mr. Hashmall?

Mr. ZUCKERMAN. Surely.

Mr. CARR. What did he look like?

Mr. ZUCKERMAN. He was rather heavy set.

Mr. CARR. Dark hair?

Mr. ZUCKERMAN. I can't remember his hair anymore, but he was probably my height, and maybe a little smaller but he was broad, and I think he had a fairly muscular build; and one thing I do remember about him, he had rosy cheeks.

In one conversation I had reason to suspect that Mrs. Danziger may have been addicted to those views.

Mr. CARR. How about Hillman?

Mr. ZUCKERMAN. Hillman; I don't think he was ever a Communist.

Mr. CARR. How about Aaron Coleman?

Mr. ZUCKERMAN. Well, you can't be sure about anything, but if I can be sure about anything, I am sure Aaron Coleman was not a Communist.

Mr. CARR. Did he tell you about going to Communist League meetings?

Mr. ZUCKERMAN. That came as a complete surprise to me; I saw it in the paper, and I never dreamed that.

The CHAIRMAN. When did you see in the paper that he had attended Young Communist League meetings?

Mr. ZUCKERMAN. It was today or yesterday.

The CHAIRMAN. I have been reading the papers carefully, and I saw no reference to Coleman.

Mr. ZUCKERMAN. Well, I know who Coleman is, and he is the marine officer who you questioned, and the previous day in the local newspapers the marine officer was Coleman.

The CHAIRMAN. The story referred to a man who had attended Young Communist League meetings being a marine officer, and you recognized him as Coleman?

Mr. ZUCKERMAN. Yes, I know that is Coleman, and I know he was suspended for taking out documents, and it is known all over the place.

Mr. COHN. Was this in 1940?

Mr. ZUCKERMAN. When I lived in Washington? I lived there in 1938.

Mr. COHN. Did you know that any Communist meetings were being held in the vicinity or the house, or any people there were attending any?

Mr. ZUCKERMAN. There was no Communist meetings held in that house while I was there.

Mr. COHN. Did you know if any of your roommates or people living in the house were attending Communist meetings?

Mr. ZUCKERMAN. I couldn't know, and I spent some evenings at home with them, and other evenings I went out.

Mr. COHN. Were you ever asked to join the Communist party?

Mr. ZUCKERMAN. Never.

Mr. COHN. You were never asked to go to a Communist meeting?

Mr. ZUCKERMAN. No, sir.

Mr. COHN. They did not ask you?

Mr. ZUCKERMAN. No, sir.

Mr. COHN. Where were you working then?

Mr. ZUCKERMAN. In the Bureau of Ordnance, Navy Department.

Mr. COHN. Now, what happened after you left there?

Mr. ZUCKERMAN. Well, after I left there, I took the job as an inspector in the Brooklyn Signal Corps procurement district.

Mr. COHN. Did you see Julius Rosenberg there?

Mr. ZUCKERMAN. I saw him in the office a couple of times, but I never spoke to Rosenberg, and I didn't care for Rosenberg, and he was a poor student in school and he was always shooting his mouth off, and I was never interested in poor students anyway.

Mr. COHN. When did you last see Frank Hashmall?

Mr. ZUCKERMAN. When I left the house there, and I never saw him again.

Mr. COHN. You left the house after a couple of months, is that right?

Mr. ZUCKERMAN. Yes, sir.

Mr. COHN. And you went up to Brooklyn?

Mr. ZUCKERMAN. Oh, no. I lived in Virginia for about another year and a half while I worked in the Bureau of Ordnance.

Mr. COHN. During the year and a half, did you see any of these people, Sobell—

Mr. ZUCKERMAN. Yes, I saw Hillman, and I saw Elitcher, and I saw Sobell, and I used to play handball with Hillman and Elitcher fairly regularly down at the "Y," and on a couple of occasions I went up to Sobell's apartment where he and Elitcher lived, and I came up to listen to his audio system that he had, and I was interested in audio work and he had something he was very proud of. I went up and listened to it on a number of occasions. I used to go down to the Library of Congress every once in a while, and listen to a concert, and I would see Sobell there. I saw Sobell in Washington, there is no question about that, but I didn't see him very much, because I saw Elitcher more than I saw Sobell. I used to play handball an awful lot with Elitcher.

Mr. COHN. When you went up to Brooklyn, did you maintain contact with any of these people?

Mr. ZUCKERMAN. I did not.

Mr. COHN. When did you see Sobell next after you left Washington?

Mr. ZUCKERMAN. After I left there, I was working as an inspector, and I was sent out to Syracuse. And in about 1943, I imagine, I had occasion to make a trip to Schenectady. Before that time I knew that Sobell worked at General Electric Company at Schenectady, because a GE engineer came down once and we were talking about various things, and he asked me what school I went to, and

I told him CCNY, and he asked me if I knew Sobell. I said yes, I did, and he said, "Well, he went to CCNY, and he is working in our Marine and Aeronautics Division," and he spoke very highly of him as a very good engineer.

When I went up to Schenectady that time, I gave Sobell a call, and I went up to see him, and I spent about an hour with him, and we talked a little bit. I went up to his room, and then that was the end of that. Then I——

Mr. COHN. Who was the person who told you about Sobell being up there?

Mr. ZUCKERMAN. I believe he was a fellow by the name of Black, who——

Mr. COHN. What was his first name?

Mr. ZUCKERMAN. That is hard for me to remember that. In the first place, he wasn't an engineer that I saw all of the time. He came down from Schenectady. We were having trouble with the unit. But I remember his last name because his brother worked at Syracuse, and his name was Black, too.

The CHAIRMAN. What was his brother's first name?

Mr. ZUCKERMAN. I can't recall that.

The CHAIRMAN. Do you recall where he lived?

Mr. ZUCKERMAN. I wasn't friendly with the man.

The CHAIRMAN. We have got to follow the sequence. Someone named Black came to you and said Sobell, whom you considered at that time to be a Communist, was up at Schenectady, and you went there and contacted Sobell and spent an hour with him.

Now, will you tell us what you were doing in Schenectady at that time?

Mr. ZUCKERMAN. I guess I didn't make that clear. I was sent to Schenectady on official business at the time.

The CHAIRMAN. Who sent you?

Mr. ZUCKERMAN. The United States government.

The CHAIRMAN. Who in the United States government?

Mr. ZUCKERMAN. My superior.

The CHAIRMAN. Who was that?

Mr. ZUCKERMAN. Well, I believe it was Captain Kroner at the time.

The CHAIRMAN. What was the official business?

Mr. ZUCKERMAN. The official business was inspection of some item, and I can't remember any more.

The CHAIRMAN. At what plant?

Mr. ZUCKERMAN. General Electric Company in Schenectady.

The CHAIRMAN. You were sent over to inspect something, is that right?

Mr. ZUCKERMAN. Yes.

The CHAIRMAN. What did the inspection consist of?

Mr. ZUCKERMAN. Well, I am afraid I can't remember that any more, I went on so many trips.

The CHAIRMAN. You do not recall what you inspected?

Mr. ZUCKERMAN. No, but the records are all there, I am sure of that. I can't remember it.

The CHAIRMAN. How much time did you spend on the inspection?

Mr. ZUCKERMAN. I spent all day.

The CHAIRMAN. In the evening, you went over to Sobell's?

Mr. ZUCKERMAN. Yes. I called him up at the plant, and then he suggested I drop over, and I dropped over.

The CHAIRMAN. You went over to his apartment that night?

Mr. ZUCKERMAN. Yes, sir, I did, and he had a room.

The CHAIRMAN. Did you have dinner together?

Mr. ZUCKERMAN. No, we did not.

The CHAIRMAN. Did you stay there overnight?

Mr. ZUCKERMAN. No. I did not.

The CHAIRMAN. Where did you stay?

Mr. ZUCKERMAN. I stayed at the YMCA.

The CHAIRMAN. All right.

Mr. COHN. Was anybody else present?

Mr. ZUCKERMAN. No, just us.

Mr. COHN. Did he discuss communism?

Mr. ZUCKERMAN. No. As a matter of fact, if you asked me at that time if I thought he was a Communist, I would tell you I was sure he wasn't.

Mr. COHN. You thought he was when you were at the end of the sophomore year.

Mr. ZUCKERMAN. I thought it was possible he was, yes, sir.

Mr. COHN. But when you went to see him at General Electric, you thought he wasn't?

Mr. ZUCKERMAN. There was quite a change in him, and he had matured quite a bit. He used to be quite a rough sort of a fellow, and very dogmatic about everything, and he was quite an exhibitionist. But he seemed to mellow down, and he was quite successful. It happens to a lot of guys at school. They come out and they make a little bit of a success, and they forget about whatever radical ideas they did have at school.

Mr. COHN. When he heard you were working for the Signal Corps, did he ask whether or not you had run across Julius Rosenberg?

Mr. ZUCKERMAN. No.

Mr. COHN. He did not?

Mr. ZUCKERMAN. No. We didn't talk about Rosenberg at all. He was telling me about some girl he had in Washington, and he couldn't make up his mind to get married or not to, and things like that, and the audio amplifiers.

Mr. JONES. Who was the girl?

Mr. ZUCKERMAN. I imagine it is the woman he finally married. She was someone in the Bureau of Standards. She was a scientist of some sort.

Mr. COHN. What was her first name?

Mr. ZUCKERMAN. I don't know.

Mr. COHN. She was previously married to a man named Clarence Darrow Gurovitch?

Mr. ZUCKERMAN. I don't even know if it was the same girl, but I assume it was. We always talked about various things, and he told me he was very lucky to work at General Electric Company, and he was working with all of the eminent people, and he had offers of jobs elsewhere that would pay him twice as much but he wanted to stay there because he thought it was a privilege to work for the people he was working for.

Mr. COHN. Do you know Professor Yamins?

Mr. ZUCKERMAN. Hyam Yamins? I know of him.

Mr. COHN. Where did you meet him?

Mr. ZUCKERMAN. I never met him personally, no, but I know who he is. I have seen him. He was in a rather high position, and you know who those people are.

Mr. COHN. Let me ask you this: After this meeting with Sobell—

Mr. ZUCKERMAN. There is one other thing. Sobell also told me at the time that he wasn't arguing with people quite as much, and he used to be very argumentative. And this sort of thing led me to believe that he had mellowed down quite a bit, as I mentioned.

Mr. COHN. Now, did Sobell ask you what kind of work you were doing?

Mr. ZUCKERMAN. No.

Mr. COHN. Not at all?

Mr. ZUCKERMAN. No, sir. I just told him I was doing inspection work.

Mr. COHN. Did he ask you what you were doing up at Schenectady?

Mr. ZUCKERMAN. I told him I came up on a job, and he probably asked me, and I told him.

Mr. COHN. When did you see Sobell next?

Mr. ZUCKERMAN. The next time I saw Sobell was down here at Watson Laboratories.

Mr. COHN. About when?

Mr. ZUCKERMAN. Let me see. Well, I can't be sure of the dates, and the FBI has them more accurately. They have the accurate dates. But I think it was around '47, or thereabouts, or some part of 1947, and he came down and I didn't know he was there, and I happened to walk into the cafeteria with Mr. Bookbinder, and I saw him sitting there. So I naturally walked over and said hello.

Mr. COHN. Had Mr. Bookbinder known him previously?

Mr. ZUCKERMAN. Yes, Mr. Bookbinder knew him. As a matter of fact, the way I found out that Bookbinder—I knew Bookbinder in Syracuse when I was working there.

The CHAIRMAN. Tell us what happened then?

Mr. ZUCKERMAN. I was once telling Bookbinder about—did you want me to answer that?

The CHAIRMAN. I want you to give us a complete story of your contact with Sobell, and try and keep it down. It is nine o'clock now. Try to keep it down from here on in.

Mr. ZUCKERMAN. I thought you wanted me to talk about Bookbinder.

Mr. COHN. You and Bookbinder walked into the cafeteria, and he told you he came down there and he was working for the Reeves Company, and they had a project with the Army Signal Corps at Monmouth?

Mr. ZUCKERMAN. No. It was with the Watson Laboratories.

Mr. COHN. And he came down to see some people and he had to stay overnight?

Mr. ZUCKERMAN. And I invited him over to my house, to stay over at my house that night, and he did.

Mr. COHN. Who else was at your house?

Mr. ZUCKERMAN. Bookbinder came over, and I believe Bookbinder came over and I can't be sure, and they argued a lot about color photography. They are both interested in that. And I think Sobell went over to Bookbinder's house to hear his audio amplifier system, and it wasn't really Bookbinder's, it was his cousin's he lived with; it was Bookbinder's cousin's system, that Bookbinder lived with at the time.

The CHAIRMAN. How many times did Sobell come down and stay with you?

Mr. ZUCKERMAN. I believe it was twice, and it may have been three times. It is hard for me to remember now.

The CHAIRMAN. Then you were a pretty good friend of Sobell if he came and lived with you.

Mr. ZUCKERMAN. I was friendly with him, sure.

The CHAIRMAN. You were very friendly when he roomed with you?

Mr. ZUCKERMAN. I wasn't a social friend, but here was an engineer who was an eminent engineer, and I was kind of proud to have him down there, to tell the truth.

The CHAIRMAN. What do you call a social friend? If a man comes over and stays with you, how close must he get to be social?

Mr. ZUCKERMAN. I had him over at my house, and he slept over, and I was happy to have him. Let us put it that way.

The CHAIRMAN. Did you have one room?

Mr. ZUCKERMAN. If he lived in the same town—

The CHAIRMAN. What did you have, one room?

Mr. ZUCKERMAN. I have a four-room house.

The CHAIRMAN. Were you married then?

Mr. ZUCKERMAN. Yes. I have two children.

The CHAIRMAN. When were you married?

Mr. ZUCKERMAN. I was married in 1946, April.

The CHAIRMAN. And he came over and stayed in your house?

Mr. ZUCKERMAN. Yes, one night.

The CHAIRMAN. Did you know he was an espionage agent at that time?

Mr. ZUCKERMAN. Definitely not.

The CHAIRMAN. You know now he was?

Mr. ZUCKERMAN. Oh, yes, of course I know now, to my sorrow.

The CHAIRMAN. Do you know he was an espionage agent at the time he stayed in your house?

Mr. ZUCKERMAN. I sure do.

The CHAIRMAN. Do you know now he was interested in the type of work you were doing, for espionage purposes at that time? You know that now, do you not?

Mr. ZUCKERMAN. I don't know what he was interested in for espionage purposes, and I don't know what kind of espionage work he did.

The CHAIRMAN. You were handling secret material?

Mr. ZUCKERMAN. I was handling secret material, that is right.

The CHAIRMAN. And you of course now know that espionage agents would be interested in that secret material?

Mr. ZUCKERMAN. He could have been, sure.

The CHAIRMAN. You claim you never knew that he or any of these other Communists with whom you lived were Communists until after you had broken off your connection with them?

Mr. ZUCKERMAN. Well, the statement puts it a little stronger than it is. As I say, I knew he could have been a Communist, and I knew he had radical tendencies, but I didn't know if he was a member of the Communist party.

The CHAIRMAN. Did you ever give him any classified material?

Mr. ZUCKERMAN. Oh, no.

The CHAIRMAN. Did he ever ask for any?

Mr. ZUCKERMAN. No, we didn't discuss any of my work or anything.

The CHAIRMAN. He never discussed communism with you?

Mr. ZUCKERMAN. No.

The CHAIRMAN. He never discussed any classified work with you?

Mr. ZUCKERMAN. No.

The CHAIRMAN. I may say for your benefit that your testimony does not impress me at all. Here you have got an espionage agent who comes and lives in your house, and he is such a good friend he lives in your house; and you have the material, the type of material which he wants. He wants material, secret material, and he is a Communist spy. And you say that he never discussed any of it with you, and he never asked you for any, and he never discusses communism.

Mr. ZUCKERMAN. He didn't discuss a thing like that over at my house.

The CHAIRMAN. What did he discuss, the weather?

Mr. ZUCKERMAN. He discussed his family, that he was becoming very proud of, and the new car he was going to buy. And he told my wife he knew how to cook eggs better than she could. And we went to sleep early.

The CHAIRMAN. You seem to be a very intelligent young man, and if I am associating with a Communist spy and we are trying to get the facts on a spy ring, and if I came and told you that this Communist agent was such a close friend of mine that he came over and stayed at my house, not once or twice but three times, and if I told you I was handling secret material but I said, "We never discussed and he never asked me for any secret material and never mentioned anything about communism, and we discussed how we cooked eggs, and we discussed color photography," wouldn't you think that I was either the damndest liar you ever heard or that I was a case for a mental institution?

Mr. ZUCKERMAN. Now, one moment. I saw him four times in some eight years. Now, that doesn't stamp him as a close friend of mine. And each time I saw him, it was a matter of circumstance, and I didn't go to seek him out.

The CHAIRMAN. Did you meet him in the cafeteria each time he came down to Watson Laboratory?

Mr. ZUCKERMAN. Yes, I did.

Mr. COHN. You never knew he was coming in advance?

Mr. ZUCKERMAN. That is right.

Mr. COHN. How many times was he down there and you did not see him in the cafeteria?

Mr. ZUCKERMAN. Well, I don't know, but he was down at one time for a week.

Mr. COHN. Where did he stay then?

Mr. ZUCKERMAN. I don't know where he stayed, and I invited him over but he said that he was going back to the city every day, and he seemed very ill at ease at the time.

Mr. COHN. When was this?

Mr. ZUCKERMAN. That was after the last time he stayed at my house.

Mr. COHN. When was that, about what year?

Mr. ZUCKERMAN. It was close to 1950, around that time. After that week he spent down there, I never saw him again.

Mr. COHN. Who else did he associate with when he was down at Watson?

Mr. ZUCKERMAN. Well, he went on business, and he had business with Leslie Cornell, the project engineer on the work he was doing.

Mr. COHN. Who else did he associate with socially, that you know of?

Mr. ZUCKERMAN. So far as I know, he didn't know anybody else socially, except myself and Bookbinder.

Mr. COHN. Weren't there any other classmates down there?

Mr. ZUCKERMAN. Yes, there were some classmates. There was Jerome Freedman—

Mr. COHN. Did he see Freedman down there?

Mr. ZUCKERMAN. He might have, I don't know.

Mr. COHN. Was he a friend of Freedman?

Mr. ZUCKERMAN. I don't think he was, and Freedman was in Washington. I doubt whether Freedman ever saw him after he got out of school.

Mr. COHN. Did he ever stay overnight at anyone's house besides yours?

Mr. ZUCKERMAN. If he did, I don't know about it.

The CHAIRMAN. Were you working at Evans at the time?

Mr. ZUCKERMAN. I never worked at Evans.

The CHAIRMAN. What signal lab were you working at?

Mr. ZUCKERMAN. At Watson. It was an air force lab.

The CHAIRMAN. Watson, at the time that Sobell was staying with you?

Mr. ZUCKERMAN. Yes, that is where he came. He came to Watson.

The CHAIRMAN. Knowing now that Sobell has been convicted, and knowing of all of the evidence of his Communist espionage activities, do you think that at the time he was visiting the signal lab and living with you at the house, that he was then engaged in espionage activities in attempting to get secrets from the Monmouth Laboratories? What is your thought?

Mr. ZUCKERMAN. I wouldn't doubt that he was trying to, sure, but I know damned well he did not ask me for anything, and I don't know what went on in his mind. Maybe he was afraid I would turn him in and maybe considered me poor material. I don't know what the score is, and a spy doesn't go around telling everybody he is a spy, and he doesn't only associate with people like that.

Mr. COHN. Did you ever apply for a pass to remove any classified material from Watson Laboratory?

Mr. ZUCKERMAN. I can't remember now. I may have taken some classified material up to a conference we had in Boston, but I can't remember whether I mailed it up there or whether I carried it with me.

Mr. COHN. Did you ever apply for a pass to take any classified material home?

Mr. ZUCKERMAN. Oh, no, I never took any classified material home.

Mr. COHN. You never took out any from Watson Laboratory?

Mr. ZUCKERMAN. I never took any home.

Mr. COHN. You never applied for a pass to take any classified material home?

Mr. ZUCKERMAN. I can't remember ever applying for a pass to take any classified material home.

The CHAIRMAN. Now, just a moment. Did you ever take any classified material out of the laboratories to your home?

Mr. ZUCKERMAN. I can't remember ever taking any now.

The CHAIRMAN. Was it your testimony that you did not?

Mr. ZUCKERMAN. Pardon me?

The CHAIRMAN. Is it your testimony that you did not?

Mr. ZUCKERMAN. So far as I can remember, I did not. I never took anything home.

Mr. COHN. You never took any material home?

Mr. ZUCKERMAN. No.

Mr. COHN. Did you ever take any material home from the laboratory?

Mr. ZUCKERMAN. I took material home, sure. I took books out of the library, and I took plenty of unclassified stuff.

Mr. COHN. Did you ever take any papers you were working with home?

Mr. ZUCKERMAN. I never did any homework.

Mr. COHN. You never did any; is that right?

Mr. ZUCKERMAN. No. When I got out of there, my work ceased.

Mr. COHN. There wasn't one occasion all of the time you were there that you ever did any homework?

Mr. ZUCKERMAN. Except some books that I had from the library, that is all. No, I didn't work at home.

The CHAIRMAN. Did you associate with Coleman?

Mr. ZUCKERMAN. Well, very little in New Jersey, and I saw him on several occasions, but our association was not very strong.

Mr. COHN. Did Coleman know Sobell?

Mr. ZUCKERMAN. Of course he must have known Sobell. He was in the same class.

The CHAIRMAN. I am not sure if I understood your testimony before. Did Coleman live in this house with you? He did not live in this house where the other people were?

Mr. ZUCKERMAN. No. He was in Michigan when I was in Washington.

The CHAIRMAN. Did he ever discuss with you the fact that his apartment had been raided and they picked up some forty-three secret documents?

Mr. ZUCKERMAN. No, he never discussed it with me, but everybody knew about it, and everybody around the lab knew about it.

The CHAIRMAN. Did you think Coleman was a Communist then?

Mr. ZUCKERMAN. No. I don't think he was ever a Communist.

The CHAIRMAN. Why do you think he was stealing the secret documents from the lab?

Mr. ZUCKERMAN. I think he was just an eager beaver that was just so eager about his work that he just wanted to work twenty-four hours a day.

The CHAIRMAN. You think Coleman is a good, high-class fellow?

Mr. ZUCKERMAN. I certainly do.

The CHAIRMAN. Do you think he was high-class as you thought Sobell was when you were inviting him to your home?

Mr. ZUCKERMAN. No, they are not the same. Sobell is in a different field from Coleman. They play in different ballparks.

The CHAIRMAN. You thought Sobell was a high-class fellow, and you invited him to your home.

Mr. ZUCKERMAN. A high-class engineer.

The CHAIRMAN. A high-class fellow?

Mr. ZUCKERMAN. He was a high-class engineer.

The CHAIRMAN. Now you distinguish. Was he a high-class gentleman?

Mr. ZUCKERMAN. I didn't have too much respect for Sobell as a man, but as an engineer I had an awful lot of respect for him.

Mr. RAINVILLE. You were willing to bring him into your home and with your children?

Mr. ZUCKERMAN. I do not have to be in love with everybody that I associate with.

Mr. COHN. Do you think it was a proper thing to have a man you believed to be a Communist—

Mr. ZUCKERMAN. I didn't believe him to be a Communist.

Mr. COHN. It was 1948, or 1949, or one of those periods, when you thought he wasn't a Communist?

Mr. ZUCKERMAN. I thought as far as I was concerned, he was working for Reeves on classified material, and he had been cleared by the FBI.

Mr. COHN. He was cleared by the FBI?

Mr. ZUCKERMAN. He must have been if he was working for Reeves on classified material, and the FBI has much more resources than I do, and that very fact at that time was enough to clear anybody.

The CHAIRMAN. Can I interrupt you now just for one final question. There is a period of time when you were in school you thought he was a Communist, and then there was a period when you thought he was not, and then there was a period of time when you thought he was a Communist.

Mr. ZUCKERMAN. Now, wait a minute.

The CHAIRMAN. When you start to tell us—just a moment, we will give you a chance to clear it up, and I want to hear it. This is a fantastic picture.

All right, first you thought he was a Communist, and that was over how many years?

Mr. ZUCKERMAN. About two years.

The CHAIRMAN. Then you thought he was not a Communist over how many years?

Mr. ZUCKERMAN. From there on out.

The CHAIRMAN. From there on out?

Mr. ZUCKERMAN. Yes, sir.

The CHAIRMAN. When did you next think he might be a Communist?

Mr. ZUCKERMAN. I never thought about it. I saw it in the newspaper.

The CHAIRMAN. I see. Did you not tell us a minute ago that when he was living with you in Washington, you thought he was a Communist then?

Mr. ZUCKERMAN. I didn't think he was a Communist then, no, and I didn't think he was a Communist when he was living in Washington.

The CHAIRMAN. You did not?

Mr. ZUCKERMAN. If I said it, I was in error.

Mr. JONES. Did Sobell visit you when you were at the University of Michigan?

Mr. ZUCKERMAN. No.

Mr. JONES. Did he ever write to you?

Mr. ZUCKERMAN. No.

Mr. JONES. Did he ever write to you while you were in Washington and he was away?

Mr. ZUCKERMAN. I never received any.

Mr. JONES. The only contact that you had was four times in eight years?

Mr. ZUCKERMAN. I never wrote to Sobell.

Mr. JONES. Outside of that, there was no association whatsoever?

Mr. ZUCKERMAN. None whatsoever.

Mr. COHN. I want to ask you this: During the year and a half you have been with this company, Video Products, is this government contract on which they are working the only one?

Mr. ZUCKERMAN. They had another contract when I first came down.

Mr. COHN. Did that involve any classified material?

Mr. ZUCKERMAN. No, it was a push-button tuner, and I worked on that.

Mr. COHN. You may step down. We will let you know if we want you.

The CHAIRMAN. We will want you back, and I am going to have counsel hand you a subpoena. We will tell you when we want you back.

Mr. ZUCKERMAN. Is that a subpoena?

The CHAIRMAN. We will have counsel hand you a subpoena so that you will know that you are under subpoena, and we will tell you when we want you back. You will consider yourself under subpoena until we call you.

I think that you should know that your testimony is in great conflict with other sworn testimony here, and if you want to examine your testimony and make any corrections, we will allow you to do that.

The CHAIRMAN. Mr. Bookbinder, would you stand and be sworn?

In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOOKBINDER. I do.

TESTIMONY OF BENJAMIN BOOKBINDER

Mr. COHN. Are you Mr. Bookbinder?

Mr. BOOKBINDER. Yes, I am.

Mr. COHN. Benjamin Bookbinder?

Mr. BOOKBINDER. That is correct.

Mr. COHN. Mr. Bookbinder, where are you employed now?

Mr. BOOKBINDER. I am employed at the Signal Corps Engineering Laboratories at Belmar, New Jersey, and the Evans Signal Laboratory of Signal Corps Laboratories.

Mr. COHN. How long have you been employed at Evans?

Mr. BOOKBINDER. I have been there since the early part of 1951.

Mr. COHN. Do you have a security clearance?

Mr. BOOKBINDER. Yes, I do.

Mr. COHN. Up to what?

Mr. BOOKBINDER. Secret.

Mr. COHN. Through Secret?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. Are you doing any work on anything connected with radar?

Mr. BOOKBINDER. Yes.

Mr. COHN. Classified work?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. When did you say you went with Evans?

Mr. BOOKBINDER. I went to Evans early in January of 1951.

Mr. COHN. And before that where did you work?

Mr. BOOKBINDER. At the Watson Laboratories, air force installation.

Mr. COHN. You were doing classified work there, too?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. The same type of work?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. Generally the same?

Mr. BOOKBINDER. Generally, yes, sir.

Mr. COHN. Radar, and so on?

Mr. BOOKBINDER. Associated with that sort of work.

Mr. COHN. How long were you at Watson?

Mr. BOOKBINDER. Approximately six years.

Mr. COHN. Six years?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. Where were you before you went to Watson?

Mr. BOOKBINDER. I was at the Newark Signal Corps Inspection Agency.

Mr. COHN. How long were you there?

Mr. BOOKBINDER. About three years.

Mr. COHN. That takes us back to 1941.

Mr. BOOKBINDER. It brings us back to 1942; and prior to that I was back at Fort Monmouth, or what was then called the Signal Corps Radar Laboratories, and I was there for a short time. If we start back going the other way, I started out there, and then I was transferred to the inspection agency for the convenience of the government. They split the organization and sent a group over.

Mr. COHN. What college did you attend?

Mr. BOOKBINDER. New York University.

Mr. COHN. Do you know a man by the name of Morton Sobell?

Mr. BOOKBINDER. I knew him as a child.
Mr. COHN. Pardon me?
Mr. BOOKBINDER. I knew him as a child.
Mr. COHN. As a child?
Mr. BOOKBINDER. Yes.
Mr. COHN. Which was the child?
Mr. BOOKBINDER. Both of us.
Mr. COHN. Both of you were children?
Mr. BOOKBINDER. Yes, sir.
Mr. COHN. When did you last see Mr. Sobell?
Mr. BOOKBINDER. I saw him briefly in 1949.
Mr. COHN. How old were you then?
Mr. BOOKBINDER. I wasn't a child then, and I didn't know him then, and we crossed paths.
Mr. COHN. Where did you cross paths?
Mr. BOOKBINDER. At Watson Laboratories. He came there on business.
Mr. COHN. Just run into him in the lab?
Mr. BOOKBINDER. In the cafeteria.
Mr. COHN. There was a conversation with him?
Mr. BOOKBINDER. Yes, sir.
Mr. COHN. And you exchanged greetings?
Mr. BOOKBINDER. Yes, sir.
Mr. COHN. How long would you say you talked to him on that occasion?
Mr. BOOKBINDER. During the period of time of our lunch.
Mr. COHN. Did you see him on any other occasion? Let us start off with this childhood acquaintance. Did you live in the same neighborhood?
Mr. BOOKBINDER. We were neighbors in the same apartment house.
Mr. COHN. Where was that?
Mr. BOOKBINDER. This was in the Bronx, on Honeywell Avenue in the Bronx.
Mr. COHN. How old were you and how old was he?
Mr. BOOKBINDER. Roughly eleven or twelve years old.
Mr. COHN. How long a period of time did that childhood fraternizing take place?
Mr. BOOKBINDER. It was on the order of two or possibly three years, or something in that order, and I don't remember.
Mr. COHN. Did you lose all contact with him until this time?
Mr. BOOKBINDER. Completely.
Mr. COHN. And you never saw him from the time you and Sobell were about the same age?
Mr. BOOKBINDER. I believe so, and I am not sure of this. I believe, if I recall, we never went to the same grade classes, and I think he was a little younger than I was.
Mr. COHN. And then you lost contact completely until that chance meeting in the cafeteria out at Watson, is that right?
Mr. BOOKBINDER. No, there was another chance meeting prior to that, about six years prior to that.
Mr. COHN. Where was that?
Mr. BOOKBINDER. This was in Schenectady, and he was working for the General Electric Company and I was stationed there as part

of my duties with the inspection agency. I was stationed there for about a period of seven months, and during that period that was the first time I ran into him from the time of our childhood, and we met in the street accidentally, and I never saw him more than that one time.

Mr. COHN. Just talked to him a few minutes and that was that?

Mr. BOOKBINDER. That is right.

Mr. COHN. And the next time you saw him was in 1948?

Mr. BOOKBINDER. Yes, and then 1949.

Mr. COHN. You saw him again in 1949, is that right?

Mr. BOOKBINDER. Two chance meetings at Watson Laboratories.

Mr. COHN. At the cafeteria?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. How long would you say you talked to him?

Mr. BOOKBINDER. I talked with him, well as I say, the period of our lunch period.

Mr. COHN. On both occasions?

Mr. BOOKBINDER. That is right.

Mr. COHN. That was all?

Mr. BOOKBINDER. Yes, sir.

Mr. COHN. Did you see him on any other occasion?

Mr. BOOKBINDER. Well, to fill in the story completely, sir—

Mr. COHN. I think we should do that.

Mr. BOOKBINDER. And I intend to do this completely. On those two occasions when he visited Watson Laboratories, as a result of our lunchtime conversations, he visited my home for about an hour on each occasion, for a specific purpose. In the first case it was since we had gotten into a discussion about high fidelity audio equipment, and I had an interest in this myself, and we had some of this equipment at home. He expressed a strong desire to hear this equipment, and there was supposed to be something exceptional, and I extended an invitation to him to drop over after work to listen to the equipment. That was the sum total of his visit at that time.

On the next occasion, which was about a year later—

The CHAIRMAN. In 1950?

Mr. BOOKBINDER. No, this is 1949.

The CHAIRMAN. The first time was 1948?

Mr. BOOKBINDER. Yes. And on the next occasion, in 1949, again there was a chance meeting at the cafeteria, and he had some Kodachrome slides in his pocket which he seemed to be quite proud of, and I had an interest in photography, and he was showing me these slides of pictures he had taken on a recent vacation. And he was beaming with fatherly pride over these pictures, and I couldn't see them very well, and we decided we didn't have very much time to peruse those pictures at the time, so again I suggested that he might drop over to the house so I could put them in my projector and take a better look at them. And this was again the sum total of the visit.

Mr. COHN. Did you have any discussion with him about anything other than that?

Mr. BOOKBINDER. No, sir.

Mr. COHN. Did you know he was a Communist?

Mr. BOOKBINDER. Absolutely not, and had I known this, I am sure that course would have been quite different.

The CHAIRMAN. The last time you saw him was in 1949?

Mr. BOOKBINDER. That is right.

The CHAIRMAN. And your testimony is you have only seen him on three occasions since you saw him when he was about eleven years old, and on those occasions it was twice in the cafeteria and once for an hour at your home?

Mr. BOOKBINDER. I coupled these occasions together. Once in Schenectady, and twice in the cafeteria at Watson, which were coupled with a visit to my home.

The CHAIRMAN. Both times you met him in the cafeteria, you had lunch with him, and later in the evening he would come over to your home?

Mr. BOOKBINDER. Not later in the evening, but immediately after work, for an hour or so.

The CHAIRMAN. That would be later in the evening.

Mr. BOOKBINDER. Yes, sir.

The CHAIRMAN. You had lunch with him in the cafeteria?

Mr. BOOKBINDER. Well, we crossed each other in the cafeteria.

The CHAIRMAN. You had lunch in the cafeteria?

Mr. BOOKBINDER. Yes, sir.

The CHAIRMAN. Was that it?

Mr. BOOKBINDER. Yes, sir.

The CHAIRMAN. And then you had dinner at your home?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. When would he come to your home? After you got through work?

Mr. BOOKBINDER. Right after work.

The CHAIRMAN. That would be the evening?

Mr. BOOKBINDER. Well, the early evening, late afternoon; we quit about five o'clock.

The CHAIRMAN. Did he ever stay for dinner?

Mr. BOOKBINDER. I don't recall that, sir.

The CHAIRMAN. Do you know Aaron Coleman?

Mr. BOOKBINDER. Yes, sir, I do.

The CHAIRMAN. Did you consider Coleman to be a member of the Communist party?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you consider Sobell to be a member of the Communist party?

Mr. BOOKBINDER. No, sir, I had no basis for knowing anything like that.

The CHAIRMAN. When did you first think Sobell was a member of the Communist party?

Mr. BOOKBINDER. When I read about it in the newspapers.

The CHAIRMAN. You now know he was an espionage agent at the time he visited in your home?

Mr. BOOKBINDER. That is right, sir.

The CHAIRMAN. Being an espionage agent, and knowing that you were handling secret material, did he, to your knowledge, attempt directly or indirectly to get any of the information from those secret documents?

Mr. BOOKBINDER. No, sir, our discussions were completely of other matters.

The CHAIRMAN. Did he ever talk about communism?

Mr. BOOKBINDER. With him, sir?

The CHAIRMAN. Did he ever talk about communism?

Mr. BOOKBINDER. If he had, sir, that would have been a tipoff to me.

The CHAIRMAN. He did not?

Mr. BOOKBINDER. No.

The CHAIRMAN. At the time he was coming down to the Watson Laboratories, what do you think he was there for?

Mr. BOOKBINDER. He was there on business with the laboratories; that is what he told me.

The CHAIRMAN. What business?

Mr. BOOKBINDER. Specifically, I wasn't concerned with the work that he came down for, but he told me that he was working for Reeves Instrument Company, and he was there on some work related to the contract that company had with Watson Laboratories.

The CHAIRMAN. Were you ever solicited to join the Communist party or the Young Communist League?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. No one ever asked you to join?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Where did you go to school?

Mr. BOOKBINDER. New York University.

The CHAIRMAN. NYU?

Mr. BOOKBINDER. That is right.

The CHAIRMAN. Did your wife ever belong to the Communist party?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you ever remove any secret or confidential or restricted material from the laboratory?

Mr. BOOKBINDER. When authorized, on going on a trip, when I had to attend a meeting, say, for a specific purpose, and specifically authorized.

The CHAIRMAN. Did you ever take any home to your apartment?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you say you had a car pool with Coleman?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Were you in a car pool with Coleman?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you ever share a car with Coleman?

Mr. BOOKBINDER. No, sir.

Mr. COHN. Did you ever ride to work with him?

Mr. BOOKBINDER. No, sir, not that I recall.

The CHAIRMAN. Did you ever ride to work with anyone who also went to work with Coleman?

Mr. BOOKBINDER. I have a practice of traveling to and from work by myself.

The CHAIRMAN. Did you ever have a car pool with anyone?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you ever ride with Julius Rosenberg?

Mr. BOOKBINDER. I don't know the gentleman, and I never did.

The CHAIRMAN. Or Sobell?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. In other words, you know what I mean by car pool?

Mr. BOOKBINDER. Sharing rides, yes, sir.

The CHAIRMAN. And you never were in one of those car pools?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. You never lived with Coleman?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. You never lived with Zuckerman?

Mr. BOOKBINDER. Yes, I did for a short while, sir.

The CHAIRMAN. Where did you live with Zuckerman?

Mr. BOOKBINDER. When I first came to Watson Laboratories, both he and I—he came to work about the same time at Watson Laboratories, and for a brief time we shared an apartment together, in Long Branch, New Jersey.

The CHAIRMAN. In what year was that?

Mr. BOOKBINDER. That was, I believe, the latter part of 1945.

The CHAIRMAN. Did anyone else have any apartment with you?

Mr. BOOKBINDER. Yes. Daniel Waxler.

The CHAIRMAN. Did he work for the Signal Corps?

Mr. BOOKBINDER. Well, this I can't answer. At that time he worked for the air force, sir, and he worked for the air force and I did.

The CHAIRMAN. Did you think that Zuckerman was a Communist then, or have you ever since then had any reason to think he was a Communist?

Mr. BOOKBINDER. No, sir.

The CHAIRMAN. Did you know that Sobell used to live with Zuckerman, also?

Mr. BOOKBINDER. I found this out later on, sir.

The CHAIRMAN. How did you find that out?

Mr. BOOKBINDER. Well, when Zuckerman was suspended and he was presented with charges of association, he acquainted me with the background of his story. I wasn't familiar with the details of this before, except possibly a passing comment of having lived with some boys in Washington before, but I don't recall that directly.

The CHAIRMAN. Mr. Bookbinder, I hope you understand that the mere fact you are called here is no indication that the committee feels that you are guilty of any misconduct of any kind. We have had very serious charges of espionage, and stealing of secret documents from the laboratory, and whenever the name of anyone comes up, we just automatically call him in and ask him some questions. The fact that the examination may appear to be a little rough to you does not mean that we think that you are guilty of anything, and our function is not to clear or to convict, but merely to try to get the whole picture.

Now, the members of the press will not be told that you were here, and the only way they will know that is if you tell them. If, when you leave here, you find some member of the press out in the hallway, I assume they will recognize you, and if they ask you what your name is, it is completely up to you to tell them if you care to, or you can tell them "yes" or "no."

Mr. BOOKBINDER. Thank you, sir.

The CHAIRMAN. I do not think we will want you any further. If we do, we will let you know.

Mr. BOOKBINDER. Thank you.

[Whereupon, at 9:30 p.m., the hearing was recessed until 10:00 a.m., Friday, October 16, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—During a recess of this executive session, Senator McCarthy informed the press that a witness had broken down and cried after "some rather vigorous cross-examination by Roy Cohn." The senator added, "I have just received word that the witness admits that he was lying the first time and now wants to tell the truth." Describing this the "most important development" in his Fort Monmouth investigation, he asked reporters—who had seen the ashen-faced witness led from the closed hearing—not to identify him. Despite this appeal, several newspapers named Carl Greenblum as the witness.

In November, after someone painted a hammer and sickle on his house, Greenblum offered his own version of events to the press, saying "It's true that I broke down and they took me to another room and brought in a doctor and nurse," but explaining that the death of his mother two days earlier had left him emotionally unprepared to be questioned. "A few minutes later I sent word that I wanted to go back and tell my story from the beginning. That may have been interpreted to mean that I had been lying, previously, but that certainly was not the case." Fired from his job at Fort Monmouth, Greenblum sued the government. In 1958 a federal district court ordered him reinstated on the grounds that the army had failed to give adequate reason for his dismissal.

Maj. Gen. Kirke B. Lawton (1894–1979), Maj. Gen. George I. Back, Maj. Jenista, Col. Ferry, John Pernice, Karl Gerhard (1915–1989), Carl Greenblum (1916–1997) and Markus Epstein (1913–1987) did not testify in public.]

FRIDAY, OCTOBER 16, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:30 a.m., pursuant to recess, in room 29 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, assistant to Senator Potter.

Present also: John Adams, counselor to the secretary of the army.

The CHAIRMAN. We have a practice of swearing all witnesses. I will ask you to stand.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Gen. LAWTON. I do.

Gen. BACK. I do.

Maj. JENISTA. I do.

Col. FERRY. I do.

The CHAIRMAN. At times I may direct a question to you, General, and you may feel that one of the young men you brought with you may be more competent to answer. And you likewise, General Lawton. Feel free to make this as informal as you want to.

General, I was hurriedly checking through this document.

**TESTIMONY OF MAJOR GENERAL KIRKE B. LAWTON,
COMMANDANT, FORT MONMOUTH, NEW JERSEY; MAJOR
GENERAL GEORGE I. BACK, CHIEF SIGNAL OFFICER;
MAJOR JENISTA, SECURITY OFFICER, OFFICE OF CHIEF
SIGNAL OFFICER; COLONEL FERRY; JOHN PERNICE, CHIEF
LEGAL DIVISION, FORT MONMOUTH; AND KARL GERHARD,
CHIEF, SPECIAL PROJECTS ANALYSIS BRANCH,
FORT MONMOUTH**

Gen. LAWTON. If you call it "1004," we all know what it is.

The CHAIRMAN. 1004. And I find an evaluation made some four months after the date of the original document. I understand there was an evaluation that came with the original document. I wonder if we have that here with us.

Gen. BACK. Senator, there was no evaluation that came with the original document. The evaluation was made by my own engineers, that is, in the office of the chief signal officer.

The CHAIRMAN. Do you have that evaluation with you?

Gen. BACK. I have just notes on the evaluation here. I could explain what the evaluation is.

The CHAIRMAN. I would like very much to have the evaluation. There was a written evaluation attached to this document originally, other than the one of November 8th. The original evaluation was entered into the record yesterday, and I think that should not have been in the record, incidentally, because I believe that is still classified or secret.

Gen. LAWTON. That is paragraph nine.

Gen. BACK. Paragraph nine? Well, that is in the document.

We were just going over this document, Mr. Cohn and we find there is apparently missing the evaluation which we entered into the record the other day.

Gen. LAWTON. Would that have been paragraph nine of that document there? I wasn't here. I don't know.

The CHAIRMAN. I will read it to you. This is from the evaluation, one phase of it:

The instant document indicates that the defector had seen an entire film based on Oak Ridge, Tennessee, the atomic energy location, while he was with PIRNA in the Russian Zone. The information he supplied concerning the film clearly indicates that he actually had seen it. It contained some technical data as well as some physical.

That is in complete contradiction to the evaluation made by Charles Walton. I just wondered where your original of this is. I would like to get that entire evaluation if we could.

Gen. BACK. I can't identify that evaluation.

The CHAIRMAN. When we can get it over there, some of you should be able to find it.

Gen. BACK. Was this, may I ask, an air force evaluation?

The CHAIRMAN. This is apparently an air force evaluation. It is an evaluation that went through your department, General.

Gen. BACK. It went through the Signal Corps?

The CHAIRMAN. Yes; and was attached to this document. Why would that disappear?

General LAWTON. May I explain this? The air force and the navy, in these types of intelligence reports, send them around to our Signal Corps Intelligence Agency. They look them over. They may find nothing. But in this case, as I understand it, they did find this paragraph nine. I am now talking about 1004. And the men who looked it over said "I think this is something we should know about," and he showed it to Colonel Mills.

The CHAIRMAN. This is not an evaluation.

Gen. LAWTON. No, that is just a statement by this man, which you read me the other night.

The CHAIRMAN. Do any of you know whether there was any evaluation of this document in writing?

Gen. BACK. I have no knowledge of that evaluation.

The CHAIRMAN. We have just got to have that. This is not much value if there has been removed from this the evaluation. Who can find out about that? Who removed it?

I imagine, General, you would like to know if someone removed this.

Gen. BACK. Yes, sir, I certainly would. I have never seen that evaluation, to the best of my knowledge and belief.

Have you?

Maj. JENISTA. I have not, not in those words.

The CHAIRMAN. Did you see any kind of an evaluation? Was there no evaluation made?

Gen. BACK. There was an evaluation made by my own office.

The CHAIRMAN. We would like to see that, General.

Gen. BACK. I can give it to you here.

The CHAIRMAN. There is no reason, General, why we should not have the thing verbatim. This thing is so important that we have got to put our cards completely on the table, so that you will know what the committee is doing, and I think likewise we have got to have all the information from you.

This is an evaluation of 4 December 1952?

Gen. BACK. That is correct, sir.

The CHAIRMAN. Was there no evaluation before that time?

Gen. BACK. That is the only evaluation of my office that I know of, and that constitutes the action when the report was sent to the assistant chief of staff, G-2.

The CHAIRMAN. I note here in 4 December '53, you request that an investigation be conducted. Was that investigation conducted?

Gen. BACK. Yes, sir.

The CHAIRMAN. Who conducted it?

Gen. BACK. We requested G-2 to conduct the investigation, and G-2 in turn requested the FBI to make an investigation.

The CHAIRMAN. And have you received a report yet on that investigation?

Gen. BACK. Yes, sir, we received a report from G-2. The report indicated that an investigation had been conducted, that it was turned over to the FBI, that the FBI discontinued the investigation following receipt of a report in March of 1953, that the air force had found that the officer who made the original interrogation, or

at least that agency in Europe, had recommended that no further action be taken, for the reason that the original defector, who had testified on the matter, was resorting to fabrication, largely fabrication if not entirely fabrication, and it was recommended that no further action be taken.

The CHAIRMAN. In other words, after they received this report which you have here, they discontinued the investigation?

Gen. BACK. That was the report. Yes, sir.

The CHAIRMAN. The FBI would not discontinue, of its own accord, after they had been asked to start an investigation. Who ordered them to discontinue? If I know the workings of the FBI, they would not discontinue an investigation of this importance after an order had been received to make such an investigation from the government. The question is: Who called it off?

Gen. BACK. It is my understanding that the FBI discontinued the investigation on receipt of the recommendation of the air force. To be more specific, it was discontinued by the FBI on a recommendation of the air force, which advised that the defector—

The CHAIRMAN. Let us get the record straight. The FBI did not discontinue. The FBI discontinued when they were asked to discontinue by the air force.

Gen. BACK. That is right.

The CHAIRMAN. Let us have the record straight. It was not the decision of the FBI.

General, can you explain how this evaluation has disappeared from your office and no one knows about it?

The instant document indicates that the defector had seen an entire film based on Oak Ridge, Tennessee, the Atomic Energy location, while he was with PIRNA in the Russian Zone. The information he supplied concerning the film clearly indicates that he actually had seen it. It contained some technical data as well as some physical.

After having gone through this and decided that he supplied the information, so that he had clearly seen it, why would they call off the investigation? That is number one. And number two, who has removed this from your file?

Gen. BACK. I can't answer that question, but I certainly will find out, if it has been removed from the file.

The CHAIRMAN. Do you think that after you have this type of evaluation by an apparently responsible agency, an investigation should be called off? Do you not think this is of tremendous importance?

Gen. BACK. I certainly do, and we were very much concerned about it.

The CHAIRMAN. Regardless of what some officer over in Germany says.

Gen. BACK. Yes, sir. We were very much concerned about it.

The CHAIRMAN. Do you know the name of the officer who interrogated this man and recommended that it be called off?

Gen. BACK. Well, all I know is that the report, the original report, was signed by, I believe, Captain Ryan. You are looking at it there.

The CHAIRMAN. George Ryan?

Gen. BACK. Correct.

The CHAIRMAN. Do you know where he is located now?

Gen. BACK. No, sir, I do not.

The CHAIRMAN. Does anyone know?

Gen. LAWTON. He would be an air force man, because this is an air force report.

The CHAIRMAN. I hate to impose on you gentlemen constantly to come down here. You have got very important work to do. But with this lack of knowledge, I am just going to have to have you come back. I want this entire file. I want to know where the men are who interviewed the people. Certainly you can assign that, General, to one of your subordinates. Otherwise, for you to come over here and have us ask you question after question and to have you say you do not know—I am not trying to lecture you, but you have had knowledge of the fact that we consider this of great importance, for days now, and you knew you were coming over here to answer questions about it. I find now that first you hand me part of the file, and your aide back there has the rest of it in his grip. Unless I ask for it, I do not get it. We are trying to keep you fully informed. We have the legal counsel to the army here. We tell him everything that goes on. We just cannot work with you gentlemen unless you do the same. I cannot have some gentleman behind you with part of the file, not giving it to us.

Do you have any more of this file back there?

Gen. BACK. No, sir.

The CHAIRMAN. This is all that any of you have? Is that correct?

Let me ask you: I am going to start from one end and go to the other. Are any of you aware of any other documents? I wish the two gentlemen back there would stand up and be sworn also.

In this matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERNICE. I do.

Mr. GERHARD. I do.

The CHAIRMAN. The first gentleman is Major Jenista, on the extreme left, the security officer, and then General Back, the chief of the Signal Corps. Is that right?

Gen. BACK. Chief signal officer. I might say Major Jenista is the security officer, office of the chief signal officer.

The CHAIRMAN. And General Lawton, the commanding officer, Fort Monmouth.

Gen. BACK. That is correct.

The CHAIRMAN. And Colonel Ferry, who was formerly on the board that examined certain of these papers.

Col. FERRY. That is correct.

The CHAIRMAN. And the gentleman behind you?

Gen. BACK. John Pernice P-e-r-n-i-c-e. He is head of the legal division, office of the chief signal officer.

The CHAIRMAN. And your title is what?

Mr. PERNICE. Chief of legal division, Office of the Chief Signal Officer.

The CHAIRMAN. And your name and title?

Mr. GERHARD. Gerhard, G-e-r-h-a-r-d.

The CHAIRMAN. Your first name?

Mr. GERHARD. Karl, K-a-r-l.

The CHAIRMAN. And you said your title was what?

Mr. GERHARD. Chief of the Special Projects Analysis Branch.

The CHAIRMAN. You have had this document in your safe for some time, Mr. Gerhard?

Mr. GERHARD. I had it in my safe, in a safe which I shared with other people, for some time.

The CHAIRMAN. I wonder if you would take a look at the document which the general hands me and see if that is the only thing that you had in your safe. Just come around here and take a look at it. I am particularly interested in knowing whether there was an evaluation attached to it.

Mr. COHN. How about the reply that went from Monmouth back to G-2, General, after the investigation was conducted?

Gen. LAWTON. I don't think it went back. We got the letter from General Back at Fort Monmouth on the 11th of December of '52.

Mr. COHN. This letter dated the 4th of December, '52, right?

Gen. BACK. No, I think that letter is addressed to G-2, isn't it?

Gen. LAWTON. That left the chief's office on the 8th of December. I got it on the 11th and they gave us this paragraph nine.

Mr. COHN. This is entitled "Possible Espionage Activities."

Maj. JENISTA. Is that the record of Fort Monmouth?

Mr. COHN. That is to the Assistant Chief of Staff, G-2, from the office of the Chief Signal Officer.

Maj. JENISTA. That is right.

Gen. LAWTON. I didn't get that, then.

Mr. COHN. Anyway, on December 11th, you received a part of this bearing on Evans Signal Laboratory and were asked to conduct an investigation to determine whether or not any of the numbers or information jibed with stuff you had there. And as it says in this document, to check out the statement that this man made that it would be possible to obtain anything they wanted from Evans Signal Laboratory. Now, you caused an investigation to be made. Right?

Gen. LAWTON. Yes.

Mr. COHN. There was a report drawn up with regard to that investigation?

Gen. LAWTON. Either we made the report, or it is identical with the one that the chief signal officer sent to G-2. That is what I saw in my office when I looked it over. But I can tell you in substance what we did.

The CHAIRMAN. Where is that report?

Gen. LAWTON. In Monmouth. It is in substance——

The CHAIRMAN. I do not want the substance. General, we told you yesterday to bring this stuff back.

Gen. LAWTON. I don't think I have got a report.

Maj. JENISTA. Let me clarify this. We gave you notice by endorsement, which I believe you have, telling you what we are doing. "We are bringing this matter to your attention." From there you took it over. The other investigative agencies had the information from the chief's office. And you never submitted a report, as such, to us, because we subsequently to that had sent you another endorsement, which I believe you have there, Senator, acquainting him with the situation as we got it.

Mr. COHN. You mean attached to this? Here is the point: On this question of evaluation, whether some of it was fabricated, how reli-

able this man was, and all of that, the thing which you rely on for discontinuing an investigation really says no more about the fabrication angle than the original document does, because as you will note in the course of the original document, there are a couple of sentences in there saying that this man in order to build up his importance and all that has undoubtedly fabricated a good part of this, and so on and so forth. So the subsequent I don't think changes the picture. It just does not add anything new. I am wondering if something wasn't done to check out some of this information. In other words, this man makes very specific reference to certain types of equipment and certain objects up at Evans Signal Laboratory. Do any of those objects exist? We don't expect complete accuracy, but is there any substance to any of these things he mentions?

Gen. BACK. Your question is as to whether or not any of the equipment he described there is Signal Corps equipment or army equipment?

Mr. COHN. That is right.

Gen. BACK. That is what I had intended to start with. As indicated in the memorandum to G-2, when this document was received in the Signal Corps Intelligence Agency, it was quite apparent from paragraph nine that it was a very serious matter, if the statement were true. Immediately that paper was sent to my own office. But because of the very general description of the equipment, it took us some time to try to connect the statements made here with any possible signal corps equipment, or for that matter air force or navy equipment.

Mr. COHN. Now, was any connection found?

Gen. BACK. No, sir. The only thing we could say is: well, it might have been. Because the description of the equipment itself is at variance with our own equipment.

Mr. COHN. How seriously at variance? This man is not a scientist, in other words. This man is a mechanic, a technician. He comes in, and it is as though I went into a laboratory of some kind. I might be able to come out and give a general description of some of the things I saw, but I certainly wouldn't be able to give anything that is completely accurate from a scientific standpoint. On the other hand, I am just wondering whether or not the evaluation was just made out of whole cloth, and whether you have any equipment similar to this in any way? In other words, could he have been talking about anything that did exist?

Gen. BACK. It is possible that he could have.

Mr. COHN. Didn't they go down this item by item? I would like to know what the result was, item by item.

Gen. BACK. I think that is contained in that statement you have there.

Mr. COHN. I don't think the result of your investigation is contained here. In other words, he says something about a radar in the 3 cm band adaptable to airborne, shipborne, and ground usage, utilizing a scope of some kind mentioned here, having a power output of 3.51 cw may be the SCR 537, which may be correct as to frequency and so on. This is unclassified since 1945. That might not mean a darn thing. They might have had this thing back in '42 or '43. You see the situation. You had Rosenberg then working out

of this laboratory at Monmouth. These people are in one business, and that is espionage. We have had testimony from one of the members of that ring that one of their primary objects was radar, and very specifically that Morton Sobell was very much concerned with radar up at the Signal Corps and Signal Corps installations, people doing contract work with the Signal Corps, and that that was one of the principal objects of this espionage ring, which we know operated successfully and transmitted considerable material. So there is just no doubt that they would transmit it. And the fact that some of this was unclassified in '46 or '45 as to these particular items does not mean a darn thing. Because Rosenberg was out there in '42 and '43, and Vivian Glassman was there in '42 and '43, and so was Joel Bauer. That is probably when they took this. I do not know if people are still out there.

It certainly does appear from this that certain things do check out, although not in enough detail to show that the man probably knew generally what he was talking about, although he was off on certain things.

The CHAIRMAN. Let us take this paragraph 9(s). It speaks of a radar in the Som band for Airborne operation as an aiming device, a power device, and power output of .05 to 1.5 kw, saying that it "may be any of the following: DPW-1, which is a Signal Corps set classified confidential since December 1947." Now, I gather from this that he described something which Robert Miller, Colonel of the Signal Corps, says might be a Signal Corps set. It is classified. Is that correct?

Gen. BACK. That is correct.

The CHAIRMAN. So that you have established that this defectee did describe accurately a Signal Corps set classified "confidential." The question is: Is there anything to discredit that, that you know of?

Gen. BACK. Senator, I don't think that we felt at any time that he described the confidential set accurately. I think we said that it may have been.

The CHAIRMAN. All right. You say it may have been this confidential set. What happened since then to convince you that it was not? Do you have any report showing it was not this set?

Gen. BACK. No, sir, we have no report.

The CHAIRMAN. Then can you tell me why the investigation was discontinued? Can any of you tell me why the investigation was discontinued?

Major JENISTA. Well, they were investigating the facts that this defectee or defector had given them. They had no other information except what he disclosed. And if he disclosed that, we go on those facts and try to find out if such a set does exist, if it is a Signal Corps set.

The CHAIRMAN. All right. Let us stop there.

We find that this defectee, who had never been in the United States, never should have had any access to something out at Fort Monmouth labeled "confidential," is over in the eastern area of Germany. We find that he, without any aid from any of your people here that you knew of, described accurately a Signal Corps set which was classified confidential. Is there any way that you can ac-

count for that, unless he got that information from your Signal Corps laboratory?

Maj. JENISTA. Well, there were planes brought down in Russia. There were probably other means of that information getting out, maybe by hearsay.

Mr. COHN. There may be other ways the information might have gotten to the Russians, but there is no other way this man could have known about it. I mean, that is a method, not a result.

The CHAIRMAN. Here is something manufactured in 1947, Major. Now, none of our planes were shot down carrying that equipment after 1947. It was manufactured, classified confidential. And you find that a man over in East Berlin describes it in detail. Just forgetting all of the other items, the film at Oak Ridge, can any of you tell me why you discontinued investigating this unless you had some report subsequently to indicate a satisfactory explanation?

Maj. JENISTA. We didn't discontinue it, Senator. The investigation was discontinued according to information which we related to you. As far as the subsequent things that went on, I am sure they went on in Fort Monmouth constantly, as to what possibilities there were to run this thing down. It doesn't cease just because someone else stops the investigation.

The CHAIRMAN. Let me ask you this. The general may be able to answer it.

Quoting from paragraph three:

It is requested that an investigation be conducted to confirm or disprove the statements in reference to Evans Signal Laboratory, that any information desired from there could be obtained, and determine how Evans Signal Corps Laboratories blueprints may have gotten to Germany.

Number four, and I call your attention to this:

It is further requested that this office be kept informed of the program of this investigation.

My question now is: Were reports ever submitted periodically in accord with this order?

Maj. JENISTA. I can say this went to the assistant chief of staff, G-2, and I believe the interim was something like three to four months, and there were no periodic reports.

The CHAIRMAN. Were any reports submitted?

Maj. JENISTA. Not to my knowledge, no; no periodic reports.

The CHAIRMAN. In other words, there were no investigative reports submitted?

Maj. JENISTA. To my knowledge, no, not periodic reports.

The CHAIRMAN. In March or April, the FBI was called off by the air force. Now, do you know whether or not in this four-month period the FBI, G-2, anyone, submitted any report of their investigation?

Maj. JENISTA. It didn't come to our office. If there was, it may have been to the assistant chief of staff, G-2.

The CHAIRMAN. Where did this originate?

Maj. JENISTA. This is our paper, from our office.

Gen. BACK. My office.

The CHAIRMAN. So that while you requested this investigation, you got no report at all as to the result of the investigation?

Gen. BACK. No, sir, the only report I received was the report in which they said—

The CHAIRMAN [continuing]. That the air force called it off.

Gen. BACK. Yes, sir.

The CHAIRMAN. How could the air force call off an investigation that you ordered started? Did they supersede you? How could they call this off? You ordered the investigation.

Maj. JENISTA. We asked for it.

The CHAIRMAN. When you ask for it, it is the same as an order, is it not? I understand when a general asks his subordinates, it is the same as an order. Isn't it?

Will you tell me how they could call this off on you?

Gen. BACK. As a matter of fact, I think we accepted the fact that when the report came back, after G-2 had gotten into this, after the FBI had gotten into it—the report came back from the original source to disregard the former report; that it was largely fabrication. Of course, that did not stop our investigation at Fort Monmouth.

The CHAIRMAN. Well, have you investigated any further? Have you gone over the interrogation of this man? What is the name of this defectee?

Gen. BACK. I think it just gave a source number. I don't recall seeing his name.

The CHAIRMAN. Have not any of you sent a man over there to interview him?

Gen. BACK. No, sir.

The CHAIRMAN. You say you were satisfied this was fabrication. Can you tell me how he could fabricate a complete description of a classified Signal Corps set? How could he fabricate that?

Gen. BACK. Senator, he did not give an accurate description of any set that we have. We simply were trying to give G-2 a lead to be helpful as to what set it might be.

The CHAIRMAN. He describes a radar set, and you say this may be a Signal Corps set classified confidential since September 1947. Now, did not anyone ever check his work to find out whether this was a description of the Signal Corps set? Whoever made this out must have done some preliminary checking, must have decided this was a Signal Corps set.

Col. FERRY. Senator, we know the Russians have some radar sets that so closely resemble ours that a non-technical person could not tell them apart.

The CHAIRMAN. How would he know the name Evans Signal Laboratory?

Col. FERRY. That isn't classified.

Mr. COHN. I know, but how would he know it? Let's be practical about it. My experience has been along the lines of investigating and espionage and all that. This thing just rings true in a lot of respects. How is a fellow twenty-two or twenty-three years over there, a technician who worked in the laboratory over there, going to know about the Evans Signal Laboratory? It is possible he did. But it is also another strong evidence that he knows what he is talking about. I never heard of the Evans Signal Laboratory.

Gen. BACK. Could I reply to that?

Mr. COHN. Sure.

Gen. BACK. It is a fact, of course, that a great deal of the original Signal Corps equipment was developed at Evans Laboratory at

Fort Monmouth, and that a considerable amount of that equipment developed at Evans was shipped to Russia under Lend-Lease.

Mr. COHN. Was all of this equipment shipped to Russia under Lend-Lease, the equipment this man talks about?

Gen. BACK. No, sir.

Mr. COHN. Well, I think you are back where you started from. Of course, he says he saw a microfilm of blueprints, and that, of course, would be a length to which they would not go if they had the equipment, number one. Number two, some of it involves a period when we were not shipping to Russia. Number three, he mentioned the Evans Signal Corps Laboratory. And number four, you have the evaluation of that film. Number five, you have the fact that Rosenberg and this group were working out there, and now we have the affirmative testimony that they were in radar espionage.

I wanted to say this, Senator, before I forget. One thing I would appreciate if you would agree with me on is this. I think we should get the classification of these things before they were unclassified. In other words, this was unclassified in '46 or '45. I would like to know when Rosenberg was working there and Glassman and Joel Barr and Levitsky and the others. What was it classified in '42, and what in '43, as to each of these pieces of equipment?

Gen. BACK. I may be wrong about this. And certainly the committee knows more probably, from its hearings than I do. But a check of the record indicated that Rosenberg was with the inspection division.

Mr. COHN. He was.

Gen. BACK. But not the Evans Laboratory.

Mr. COHN. But he went down there to inspect.

Gen. BACK. He might make visits there, yes.

Mr. COHN. He did. And you have to bear in mind that this man was a full-time Communist espionage agent. So was Vivian Glassman. So was Joel Barr. He is in Russia today. He was stealing stuff every place he could get his hands on it. Finally, just before the arrests started, he went over to Poland, and he is over in the Soviet Union now. Vivian Glassman, the last she was in here, the last thing that happened with her, was that after Rosenberg was arrested, '51 or whenever it was, she was given a whole bundle of cash by the Russians and started going around with forged passports and a bundle of cash trying to get William Perl and these other espionage agents out of the country. She was working down at Monmouth Laboratory. A sister, who claimed the Fifth Amendment, Levitsky, who claimed the Fifth Amendment, and Ullmann, were working down there. These people were in the business of espionage. And I might say it is inconceivable that they were not, in addition to the affirmative testimony that they were. And I think here it would be awfully interesting to know what was the classification when these people were working there.

Number two, did any of these people have access to any equipment similar to this?

And then, of course, step number three is: Are people recommended by these people still working there or associated in any way with this?

Gen. LAWTON. Senator, you read off the atomic thing to me Thursday night. That I will remember. Then at the conclusion you

started reading, and then I started making notes. And that was the time you gave me the number 1004. And the dope you gave me on 1004, I found in paragraph nine.

Therefore, in my search, I presumed that when I found paragraph nine, and we came up here with it, I had everything. Does this paper, 1004, say anything about this atomic film?

Mr. COHN. Yes. It doesn't give the evaluation of it.

Gen. LAWTON. We wouldn't evaluate that thing. That goes to atomic energy.

The CHAIRMAN. General, did you ever have an investigation conducted, and if so did you ever obtain a report, on 1004?

Gen. LAWTON. Yes, sir. On the 11th of December, 1952, we received a request from the chief signal officer to make an investigation, or at least he gave us the dope and told us to investigate. Our G-2 people then called in the FBI from their regional office. I don't think you want to mention his name, but we know who he is.

Mr. COHN. Was this from the Newark office?

Gen. LAWTON. Yes.

The CHAIRMAN. Then what happened?

Gen. LAWTON. And then Andy Reid, one of the civilian investigators, who has been there I think since 1940—Andy Reid, R-e-i-d; I have known him since 1920, a very good man at this business—went down to the Evans Laboratory, got all the job sheets on the microfilm. He tried to tie this thing in with Coleman. And he couldn't find any job sheet, an official one living there, that someone might have walked in and had it done in our shop, making it look like it was official business. Now, if they tried to do it undercover, he would have had to have one of the operators of the microfilm in cahoots with him. Because nobody can have a photostat or a microfilm made of classified material without having it recorded.

The CHAIRMAN. Oh, wait, General. Let us stick to the facts. You say no one could have any microfilm made of the classified material without its being recorded.

The testimony is, the sworn testimony of the heads of departments down there, that people could take secret material at will, take it home to their apartments, and when they had that material in their apartments, and if they were Communist spies, and if they made a microfilm, they would not come back the next day and say, "General, here is a recording of it." So let us keep to facts.

Gen. LAWTON. I am not saying that you could not take that stuff out from the microfilm. I am sure it could be done by people half as smart as these people are.

The CHAIRMAN. I am not sure if you follow me. The testimony of your men down there, people now heading departments, was that they can take secret material at will, take it home, and bring it back when they see fit; that of twenty-five branch headquarters, fifteen have passes which allow them to take out any classified material they care to. That is their sworn testimony.

I think we should have the record clear, when you say no one could microfilm it without having it recorded, that if they could take it home, they can do it without any recording.

Gen. LAWTON. They could in those days, yes.

The other thing he did was to go to Mr. Slattery, who is the civilian executive for the Evans Laboratory, to see if he could tie in any

kind of work with these other people we had under surveillance down there. That brought him no good leads.

They did other little things, but those were the two major things, trying to find jobs these people worked on in microfilming, and the FBI came in on the espionage.

The CHAIRMAN. When you assigned people to conduct this investigation, did they come in and tell you what they found, or did they give you a written report?

Gen. LAWTON. He has a written report down there of the job sheets of the microfilm, two pages of it.

The CHAIRMAN. In other words, does he have a report of investigation?

Gen. LAWTON. Yes, sir.

The CHAIRMAN. A report back to you?

Gen. LAWTON. Well, it wasn't a formal report to me. All I have got are these sheets of the microfilm jobs and the other jobs where he was trying to tie in these people.

The CHAIRMAN. It means nothing to me when you say you have a job sheet.

My question is this. You assigned some officer the task of determining whether or not the information this defector gave was true. Did he ever report back to you? Did he say, "We think he did see it, for this reason," or, "We think he did not, for this reason"? I am curious to know whether you have such a report.

Gen. LAWTON. I do not believe there is, there, typed in the file.

The CHAIRMAN. In other words, there is no written report.

Gen. LAWTON. That is right.

The CHAIRMAN. How was the report given to you? Verbally?

Gen. LAWTON. Verbally, yes.

The CHAIRMAN. What did he say? That this defector, he felt, was not telling the truth, or that he was?

Gen. LAWTON. He said nothing about the defector. He said with all the efforts they had made, they could get no leads on how things were getting out of the Evans Laboratory to Russia.

The CHAIRMAN. Now we are getting somewhere. So his investigation concerned itself solely with trying to find out how the material was getting over to Russia?

Gen. LAWTON. Yes. And we presumed it was. We were willing to presume there was a leak. You have to presume there is a leak going on down there today. It is a vulnerable spot, and I am sure that we have always considered those spots, as well as some others; that there was this possibility. And never do we overlook it. I don't care anything about the credibility of this witness. It is a lead. It might be a bum one, but you have to chase them all down.

The CHAIRMAN. General, let me ask you: Did you ever get a written report of any kind? Did you ever get a written report as a result of the investigation of these facts, other than what you gave us, these four lines?

Gen. BACK. No, sir.

The CHAIRMAN. Do you know who in the air force ordered the FBI to discontinue the investigation?

Gen. BACK. No, sir, I do not.

The CHAIRMAN. Do you not think this investigation should be re-instituted? Is it not rather unusual for someone in the Air Corps to order discontinuing of an investigation which you started?

Gen. BACK. Well, we certainly could do so.

The CHAIRMAN. I am not trying to tell you how to run your business. I am just wondering if you do not think, in view of the fact that you have nothing here to justify this discontinuance except a statement by Charles Walton, which is directly contrary to the original evaluation—in view of that, I am just wondering whether someone should not check and find out why this discontinuance was, what happened over the thirty-month period to completely change the evaluation. At one time they say information supplied in the film clearly indicates that he has actually seen it. I assume that was the Signal Corps film at Oak Ridge.

Gen. LAWTON. Not necessarily. The Oak Ridge people have their own photographic department.

The CHAIRMAN. But regardless of who took the film.

Gen. LAWTON. I just wanted to correct that.

The CHAIRMAN. Do you not think you should go into this again? Or do you think you should let it lie?

Gen. BACK. Well, you have a document there that I haven't seen. May I ask again, Senator, whose evaluation that was the one you just read?

The CHAIRMAN. Air force, I assume. Air force intelligence, I assume. It seems ridiculous, General, that I should have the evaluation and you should not have it.

Gen. BACK. I am surprised.

The CHAIRMAN. Is it your thought that no evaluation of this was made by the air force or anyone until the one of 5 June? In other words, no evaluation was made by anyone until December. That is six months later. And then someone from over in Europe sends over a notation saying, "Disregard it."

Gen. BACK. Well, I will answer the question by saying I have no knowledge of anybody making an evaluation in the air force or any other place based on any reports that we have received. And I stated before that those are the only other reports we have received.

Gen. LAWTON. May I clear up a date? I have a note here that Colonel Mills did not receive the document 1004 until the 25th of September, 1952.

Gen. BACK. That is correct.

Gen. LAWTON. Now, this thing was made in Germany on the 5th of June 1952, by the air force. And again I say they bicycled it around, but it hit our shop 25 September. This man, Gerhard, grabbed it, gave it to Mills, notified the chief signal officer, and he got his people to work. I wasn't notified until the 11th of December on paper, but there were telephone conversations between Monmouth and his technical division in Washington to make up this report of the 4th of December to the sir gorce. So that between the 25th of September and the 4th of December, when the evaluation was made by the chief signal officer, they were working on it. Now, that is two months and about three days.

Mr. COHN. General, what did Mr. Reid think of all this? He is the one you mentioned.

Gen. LAWTON. He is discouraged because he can't find a lead from something like that. I think both Reid and I and G-2 are satisfied things can leave that laboratory. There are four thousand people——

Mr. COHN. What did he think specifically of these reports?

Gen. LAWTON. He has never said. He did show me, on the 31st of March, the fact that somebody had said that the informant had withdrawn his statement. But that doesn't make Reid or I believe that there still isn't danger at Fort Monmouth.

The CHAIRMAN. I read a story in the *Herald Tribune* this morning to the effect that the air force over in Germany said there never was such a report, never was such an individual, that they never heard of him, that there could not have been such an individual.

Gen. LAWTON. May I suggest a defense for the air force? If you should ask our own G-2, they would deny they over heard of it. That is the policy. To a reporter, you deny that it even exists.

Mr. COHN. We have been getting a lot of G-2 policies in here.

The CHAIRMAN. May I say that is rather unusual. You see, the committee has a witness here that there is such a document. The press has been told there is such a document. If the air force and G-2 want to publicly brand this committee as liars, they will have trouble. If they want to say "no comment," that is one thing, but for them to come out in Berlin and have a policy of saying this is something else. Let me read this to you.

Gen. LAWTON. I read it.

The CHAIRMAN. It seems to me clearly an attempt to brand the committee as liars. And you say that is the policy, apparently.

Gen. LAWTON. Well, in the army I was almost tried once because I indicated I had a safe with some classified material in it. They said I couldn't even say I had a safe with classified material.

The CHAIRMAN. I can understand why they would have a rule saying "no comment."

General, can you get in touch with the air force and ask them for their evaluation?

Gen. BACK. Yes, sir.

The CHAIRMAN. And if you could, also, would you find out from them who in the air force could come over and tell us who called it off, why they made the decision, why they countermanded your order without consulting you? You were the man who had asked for it, not the air force. I would like to know who outranked you on that, whether it is some captain over there.

Gen. BACK. I should like to say here, Senator, that I think the endorsement that came to the Signal Corps, in all fairness to the air force, said, "It is recommended that the case be closed unless you state otherwise," or words to that effect. I think it is unfair to state that they, on their own, did it. I think if there is blame attached, it is attached to the chief signal officer.

Mr. RAINVILLE. I just wanted to say one thing. And as I said to you earlier, we get brash once in a while. You are very magnanimously saying, "If there is responsibility, it is mine." Well, that is esprit de corps, and it is commendable in that the superior officer takes any responsibility that there is. But I do not want you to forget that this is a spy investigation. This is something where there is culpability. There must be a conviction. There is weakness.

There must be a correction. Your taking the responsibility doesn't solve anything.

Gen. BACK. That is correct.

Mr. RAINVILLE. The only thing it can solve is in saying, "It is a fault; we will correct it." I will agree, and I think it is nice of you to say it isn't that department's fault, but it is yours. But if there is a fault, may not that fault be part of the same conspiracy? You see, we can't assume that the army is any more free of subversive elements. We know we have some of our FBI men in the Communist party. We can only assume they are doing the same thing; and the army, particularly the Signal Corps, would naturally be a target for that.

So while I feel very kindly toward your statement that, "We are letting them off the hook," we don't want it as an answer and can't take it as an answer, because we must find out how they got off the hook. Was it an accident? Is this whole thing now being forgotten because it was mishandled? Like a fumble in football, "Forget it; next time we get the ball, we will dash through with it"? I don't think we can treat it that way. I think, we have to take the gloves off a little bit; not the committee with you or you with the committee; I think all of us together. Maybe it is impossible for the Army at this stage, the secretary's office, or anybody else, to unwind the thing now. Maybe it is necessary for some outside influence to come in.

So that in a case of this kind, you will say, "I would like to take the blame, but I can't take the blame, because it doesn't end there. My resignation would not end it." Because there is a situation.

Gen. BACK. Yes, sir.

Well, I didn't mean to imply, though, that we had dropped the investigation in so far as this particular incident is concerned. At Fort Monmouth they are still trying to find out if there is any connection between the incident reported in Germany and the Evans Laboratory.

Mr. RAINVILLE. But there are no reports of any kind that indicate that you have done that. I mean, you have a two-page report where a man did some investigating. There is no conclusion. It is like my child bringing home his arithmetic. I can discuss the arithmetic problem with him, but if he doesn't do it, he gets a zero on the problem the next day. I can explain the whole reason why, show him all the theories, but if he goes out and plays baseball before he gets to finishing the problem, he still gets zero.

Gen. LAWTON. But you make him study that night until he gets a passing grade. We are still working on this type of thing, never overlooking the fact that we got no leads by 31 March.

Mr. RAINVILLE. But now we are well into 1953. We have passed March. And here we without anything that you can show is a progress report.

Gen. LAWTON. That is right. I can give you a negative progress report.

Mr. RAINVILLE. Well, but you haven't given a negative progress report on this particular document, which you have had for quite sometime.

The CHAIRMAN. May I say, Harold, in fairness to General Lawton, his task has been to try to find the leak. To assume from

this report there was a leak was a safe assumption for him to make even if it were a false assumption. So he was operating on the basis that this was true, and he was looking for the leak. And the fact that he could not find that leak would not indict him, because it is trying to find a very important espionage agent.

Mr. RAINVILLE. That part I agree with.

The CHAIRMAN. I think the principal fault is in not having run this thing down from other standpoints.

I have got a suggestion. I think we have been wasting a lot of time bandying this back and forth. We will get nowhere. There is a man over in Europe who is either lying, or, if he is telling the truth, we have got a very serious espionage set-up out here in the Signal Corps, or did have. There is no reason in the world why he shouldn't be re-interviewed by people whom we thoroughly trust.

My suggestion, if it would meet with the approval of you gentlemen, is that General Lawton pick a man, and I will let one of my staff go along, and General Back might want to pick a man and we could send two or three men over to interview this man in detail. I think that is the only way we can arrive at any conclusion.

As Harold, here, has indicated, if there is an espionage ring, then it can extend to the man who ordered this investigation called off. It is very unusual to have it called off. I do not think you people would be satisfied with our sending one man over. You might feel our staff would be a bit biased. We would not be satisfied to take a report from someone we knew nothing about. I know you have men down there you absolutely trust. What do you think about that suggestion?

Gen. BACK. Yes, sir. I think that would be an excellent idea.

Could I make one statement, however? When this report came back, it came back to us from G-2, which is the investigative agency in so far as the army is concerned. And I would like to again say that G-2 elicited the services of the FBI. Now, when G-2 recommends that a case be closed, the investigative agency of the army, after having collaborated with the FBI, I wouldn't be inclined to override them and say, "Well, you people don't know what you are doing."

The CHAIRMAN. I had General Partridge before me the other day, General, and asked him what he knew about communism, and he said he knew nothing, absolutely nothing, never read any book on communism and knew nothing about it. I asked him if he knew anything about the espionage movement in the United States, different shifts in the party line, and he told me he knew nothing about it.

As I told him, while he might be a fine family man, an outstanding field commander, I would have no confidence in him. I think he is such a nice fellow that he doesn't realize there is sin in the world. I am not saying that publicly. That is just within this room.

I am not trying to restrict this to one man from your department. You might want to send more.

Gen. BACK. Could I make one suggestion, that inasmuch as investigative matters in so far as the army is concerned are a G-2 function, I should like to recommend that that be considered.

The CHAIRMAN. I think that G-2 ought perhaps to send someone along.

Mr. COHN. They can send anyone they want. I have this idea, Senator. General Lawton mentioned this Mr. Reid who conducted this investigation. What is his title?

Gen. LAWTON. I don't know. He is in the G-2 office, and he has been there the longest, and he is the best investigator I have got. He is chief agent of G-2.

Mr. COHN. If you will authorize him, why not send Mr. Reid over?

The CHAIRMAN. Mr. Reid and one of our men.

Gen. LAWTON. And over there he can pick up the engineers of the Signal Corps.

Mr COHN. I will take him sight unseen. That is good enough for us.

The CHAIRMAN. Let us let Mr. Reid and one of our men go, and if the general wants to send someone along, that is all right.

Gen. BACK. Again, if there is no objection, I would like to communicate with G-2.

May I point out that the man that General Lawton has is part of his post-complement Signal Corps, really, whereas G-2 would be interested, I think, in sending one of their investigators.

The CHAIRMAN. I can see no objection, and I can see a lot of advantages in having a man from G-2 there. Could your man leave tomorrow, General?

Gen. LAWTON. As far as I know.

The CHAIRMAN. We have had conflicting evidence, all from apparently reliable sources, on the fifty-seven documents. I wonder if you could give us some picture on that?

Col. FERRY. I think so, sir. What specifically would you like to know?

The CHAIRMAN. I would just like to know how many have been found, just roughly the picture.

Col. FERRY. May I give you a brief outline of the history of this thing?

The CHAIRMAN. I think we can start out with the fact that the fifty-seven documents were reported lost originally and then reported found later. Give us as much background as you think is necessary.

Col. FERRY. I am afraid this is a misinterpretation.

Gen. LAWTON. Use the term "unaccounted for" instead of "lost."

Col. FERRY. Apparently unaccounted for, rather than lost, sir.

The CHAIRMAN. Very well,

Col. FERRY. In April of 1951, a list of seventy-four documents were entered in the top secret registers of the office of the chief signal officer.

The CHAIRMAN. Seventy-four, did you say?

Col. FERRY. A list of seventy-four, yes, sir. It was sent to the Central Intelligence Agency, with the request that they examine their records to determine whether these documents were in their possession or not.

Shortly after this, within a matter of less than a month, I would say, an answer was received from the alternate top secret control officer of the Signal Corps Intelligence Agency, stating the account-

ing for eighteen of these documents, and stating that he had no record of the remaining fifty-six.

I believe that this is the basis for the alleged loss; that is, the story of the alleged loss, of fifty-six documents. Now, the number fifty-seven has been mentioned. I have no idea where the fifty-seven rather than fifty-six comes in.

The CHAIRMAN. Were all seventy-four ever actually logged out to the Signal Corps?

Col. FERRY. To the agency, sir?

The CHAIRMAN. Yes.

Gen. LAWTON. Tell him what happened to the fifty-six.

Col. FERRY. Of these fifty-six, they were all eventually located in various divisions and branches of the office of the chief signal officer, by certificates of destruction covering these documents, or evidence that they had been downgraded by proper authority and were no longer proper subjects for the top secret accounting.

The CHAIRMAN. Regardless or whether they were downgraded or not, did you locate all fifty-six?

Col. FERRY. Sir, there was no requirement to locate those documents which had been downgraded.

The CHAIRMAN. Well, if they were downgraded to secret, would you not want to know where they were?

Col. FERRY. The secret documents are handled differently from the top secret documents, sir. Once a document ceases to be top secret, it is no longer the subject of detailed accounting. It is still required to be covered by a receipt system when it goes from one installation to another.

The CHAIRMAN. So that some of them were downgraded to secret, and as to those you do not know whether they were located or not.

Col. FERRY. That is true, sir. I don't know whether they exist or not.

The CHAIRMAN. Do you know how many were downgraded?

Col. FERRY. I can't give you the exact figures on that no, sir.

The CHAIRMAN. That would be rather important. That would be a very clever way for someone to cover up the theft. If a top secret document is missing, then you would proceed to downgrade it, and no one would even look for it anymore, would you not think so?

Col. FERRY. This seems reasonable sir. But it might help if I gave you something about the nature of these documents.

I can't say offhand which of the seventy-four were the fifty-six, but I can give you a breakdown of the seventy-four documents which includes the fifty-six, would that be satisfactory?

The CHAIRMAN. Go ahead.

Col. FERRY. Fifty of these documents were concerned with the American and British efforts in defense against the cross channel rockets in 1943 and '44. And, incidentally, these documents were downgraded in 1945. Five of them were lists of equipment.

The CHAIRMAN. Do you know to what extent they were downgraded? Secret? Confidential?

Col. FERRY. Generally, to confidential or lower, sir. It depended upon the subject of the individual document beyond that. Do I make myself clear on that?

The CHAIRMAN. Yes.

Col. FERRY. Five of them were lists of equipment, which were classified only because they were identified with a specific project or because they included equipment which was classified at the time. All of those have been downgraded. Five of them were descriptions of targets for aerial bombardment of Germany. As soon as the allied forces went into Germany and reached these targets with the ground forces, there was no longer any requirement for the classification, and they were downgraded.

Four of them were instructional material that dealt with, again, specific operations, and were classified because the operation was identified. Once the operation took place, again, these documents were downgraded.

The CHAIRMAN. You have sixty-four now.

Col. FERRY. I am reciting seventy-four all together, sir.

Three of them dealt with economic conditions in foreign countries, matters of industrial practices and that sort of thing.

The CHAIRMAN. Why would they have been classified top secret?

Col. FERRY. There has been quite some question about that. There is a great tendency to over-classify, feeling that security considerations are paramount on many things where actually they are not. These undoubtedly were at least of questionable appropriateness in the top secret classification.

The CHAIRMAN. And the others?

Col. FERRY. Three of them dealt with radio services in the Red Army in 1943. One of these, I think, was an original document furnished to us by the Russian Mission here at the time. One was a translation of the same document. And the third one was a correction of some of the text in the translation of the original.

The CHAIRMAN. All those you have mentioned so far were downgraded?

Col. FERRY. Some of the fifty documents, sir, that dealt with this cross-channel bomb, or cross-channel rocket, may not have been downgraded to unclassified.

The CHAIRMAN. Do you know if they were downgraded before, or after, they disappeared, allegedly disappeared?

Col. FERRY. Sir, the first allegation that they had disappeared was made to my knowledge in 1951. It came to my attention in January of 1952.

The CHAIRMAN. You do not know whether they were downgraded before they supposedly disappeared, or after? I am not talking about the allegation that they had disappeared.

Col. FERRY. There was never any allegation that they had disappeared, sir, to my knowledge. They were downgraded in 1945. I can assure you of that.

The CHAIRMAN. Some of them? Or all of them? All that were downgraded were downgraded in '45; is that it?

Col. FERRY. Of the fifty that we were discussing just now, yes, sir.

The CHAIRMAN. How about the others?

Col. FERRY. Some of the others were downgraded at later dates.

The CHAIRMAN. Not knowing whether the ones that were downgraded disappeared or not, you have no way of knowing whether they were downgraded before their disappearance? In other words, you have not followed down anything that was downgraded? You

have not run them down? In other words, if you discovered that something was downgraded from top secret, it is not longer your function to find that document. Your function was to find the top secret documents. Is that right?

Col. FERRY. May I point out, sir, that in a great many of these cases, we found that the document had been downgraded when we actually located it. The document had been downgraded, retired to the Federal records depository.

The CHAIRMAN. Some of the documents that you discovered were downgraded you never saw, never found physically; is that right?

Col. FERRY. That is true, sir.

The CHAIRMAN. So you would not know whether those were downgraded before they disappeared, if they disappeared, or afterward, assuming they had disappeared?

Col. FERRY. If we assume that they had disappeared, sir, we wouldn't know whether they were downgraded before or not. That is true.

The CHAIRMAN. As of now, you do not know whether they have disappeared or not, because it was not your function to find them, if you discovered they were downgraded?

Col. FERRY. It was our function, sir, to investigate the matter of apparently missing top secret documents.

The CHAIRMAN. I am just asking you a simple question. I am not trying to tangle you up with anything that is difficult.

Col. FERRY. I understand, sir.

The CHAIRMAN. Let us take document no. 27 in that case. I know those are not the accurate numbers. It was originally top secret. It dealt with something having to do with our invasion of Normandy. After the war was over, that could have been downgraded to restricted, or no classification at all. So if you found that document no. 27 had been downgraded, to either secret, confidential, or restricted, or declassified completely, you did not worry about that any more. You were only concerned with those that were still classified top secret. Is that right?

Col. FERRY. Substantially, yes, sir.

The CHAIRMAN. So that as far as some of these documents were concerned, when you found they had been downgraded, you did not search through for them any further.

Col. FERRY. That is true, sir.

The CHAIRMAN. So that you would not know whether they were destroyed under the regular regulation of the army, whether they were stolen, whether they were misplaced, or what happened?

Col. FERRY. That is true, sir.

The CHAIRMAN. You would not know how many of the seventy-four were still unaccounted for. I should not use the term "accounted for." You would not know how many of the seventy-four there were that you never physically located. When I say that, I mean either located physically or found a certificate of destruction.

Col. FERRY. I can't say that offhand, no, sir.

The CHAIRMAN. You were going through the seventy-four. You have four more to go.

Col. FERRY. Two of those are Signal Corps instruction for particular operations which were downgraded as soon as the operation was completed. One was a downgrading authority for an earlier

document. And one was a set of instructions for certain personnel concerned with the transmission of messages.

The CHAIRMAN. You do not know offhand how many of the seventy-four were downgraded? Or would you know?

Col. FERRY. No, sir, I don't know.

The CHAIRMAN. I assume you have that information some place, have you not?

Col. FERRY. Not with me, no, sir.

The CHAIRMAN. Well, we will have to ask you to come back again. We are trying to run these down. That is one of the things that Senator Dirksen asked us specifically to do, locate the documents, or establish them as lost. I would like to know, you see, how many of the seventy-four are still listed as top secret. There is no reason why you should not bring that information along, is there?

Col. FERRY. You want to know how many of the seventy-four are currently top secret?

The CHAIRMAN. Yes. How many have been downgraded.

Col. FERRY. Very well, sir.

The CHAIRMAN. Now, let me ask you this. Which specific agency reported the fifty-six unaccounted for in their agency?

Col. FERRY. The Signal Corps Intelligence Agency, sir.

The CHAIRMAN. Signal Corps intelligence. Now, did you or anyone examine the log book or the records to find out whether all seventy-four had actually been logged out to Signal Corps intelligence?

Col. FERRY. It wasn't necessary to do that, sir. We knew without examining that particular log that many of them had not ever been in the hands of the Signal Corps Intelligence Agency.

The CHAIRMAN. I would like to know how many of the fifty-seven went to the Signal Corps Intelligence Agency, of the fifty-six.

Col. FERRY. Of the fifty-six, sir, none of them actually ever reached the Signal Corps Intelligence Agency.

The CHAIRMAN. How did you find that out?

Col. FERRY. I don't quite understand your question, sir.

The CHAIRMAN. How could you find out what agency they went to unless you examined the log book, or the registry, call it what you may?

Col. FERRY. We did examine the log book of the top secret control officer of the office of the chief signal officer, who was the only agency from which the Signal Corps Intelligence Agency was authorized to receive these documents at that time.

The CHAIRMAN. So you examined the log book of—

Col. FERRY. Of the top secret control officer of the office of the chief signal officer.

The CHAIRMAN. Would that log book show whether or not a top secret document had been logged out to Signal Corps intelligence?

Col. FERRY. That is right, sir.

The CHAIRMAN. And how many of the fifty-six were actually logged out to Signal Corps intelligence?

Col. FERRY. None of them, sir.

The CHAIRMAN. None of them. You said you did examine the log book. You found none were logged out. I thought you said none had to be logged out.

Col. FERRY. We were speaking of two different log books. You were speaking of the log book of Signal Corps Intelligence Agency,

which is one set of records. I told you I hadn't examined that one with this particular purpose in mind. Then I told you that I had examined the log books of the top secret control office of the office of the Chief Signal Officer.

The CHAIRMAN. Just to get this clearly in mind: If the Signal Corps intelligence got any top secret documents, in all cases that would be registered in the log book of the top secret control office of the Chief Signal Officer?

Col. FERRY. At the time that the report of the fifty-six was made, yes, sir.

The CHAIRMAN. At the time the report was made. At the time the documents were in existence?

Col. FERRY. At the time the documents were in existence, sir, the Signal Corps Intelligence Agency was not.

The CHAIRMAN. These documents, I assume, were dated all the way from 1943 up to the late '40's?

Col. FERRY. Certainly no later than December of 1947, sir.

The CHAIRMAN. When would you say the earliest date would be just roughly?

Col. FERRY. The earliest date would have been in April of '43, sir.

The CHAIRMAN. Now, from '43 to '47, if a top secret document went to Signal Corps intelligence—

Col. FERRY. Excuse me, sir, Signal Corps Intelligence Agency came into existence in 1949.

The CHAIRMAN. And then Signal Corps intelligence could not have received the document prior to that time?

Col. FERRY. That is right.

The CHAIRMAN. Was it operating under some other name?

Col. FERRY. There was an earlier organization performing the same function.

The CHAIRMAN. That earlier organization came into existence when?

Col. FERRY. Well, through a series of organizational changes.

The CHAIRMAN. There always was an organization doing the same job?

Col. FERRY. That is right, sir.

The CHAIRMAN. I am not concerned about the change in name. I know we changed the names of many offices with the Reorganization Act. Let us just think about this function.

Now, from '43 to '47, if that office received top secret material, would that material in all cases be logged out from the top secret control office of the Chief Signal Officer?

Col. FERRY. That is right, sir, unless it were a type of document requiring specific handling through the instruction of the originating office. That is to say, the answer to your question is "yes," sir.

The CHAIRMAN. Now, did you find in the log book, some place, the number of each of those top secret documents that were sent to any agency? Let us be specific. Let us take a top secret document. Let us give it an arbitrary number, number 27. Let us say someone says, "A copy of this should go to X department, and a copy should go to Y department, and a copy to A, to B, to C."

Col. FERRY. Right, sir.

The CHAIRMAN. I assume there is some log book in which you log one copy out to X, one copy to Y, one to Z, and on down the line?

Col. FERRY. Right, sir.

The CHAIRMAN. Have you checked with each one of these fifty-six? Number one, have you gotten the number that were logged out and the agency to which they were logged?

Col. FERRY. Right.

The CHAIRMAN. And you have either accounted for each one, physically, to all these departments, or you have found it was downgraded, in which case you would not have to account for it; it would be handled in a different fashion?

Col. FERRY. Right.

The CHAIRMAN. Do you have a report to that effect, saying "document no. 27, so many copies logged to such and such a department"?

Col. FERRY. We have the log books, in which all the entries are closed, sir. The log books cover approximately thirty thousand documents.

The CHAIRMAN. Were you not appointed to run down the fifty-six specifically?

Col. FERRY. We were appointed to investigate apparently missing top secret documents. This turned up. The fifty-six appeared at one time to be in that category, yes, sir.

The CHAIRMAN. Did you submit to anyone a report saying, "Here is an accounting of the fifty-six: Document number 1. Document number 1 was logged out to this department, this department, and this department. It was downgraded. Document number 2 is still top secret. It was logged out to departments A, B, and C. We have located all three copies." Or, "We have found certificates of destruction"?

In other words, have you taken each one and given a report as to where it was logged out, the number, and the disposition?

Col. FERRY. No, sir, we have stated briefly the accounting for it, downgraded by such and such an authority, destroyed, certificate of destruction dated such and such a date, or on hand.

The CHAIRMAN. Let me interrupt you right there. You say, "destroyed, certificate of destruction, such and such a date." Let us say you found the certificate of destruction in B department. That would not mean much unless you went back to the log book and said, "Now, none were logged out to any other department," or, "We have a certificate of destruction for department A, B, and C." Unless your report said that, the man would find it valueless.

Col. FERRY. That is right. We made sure that we had accounting for each copy, by copy number. All top secret documents are issued by copy numbers.

TESTIMONY OF CARL GREENBLUM (RESUMED)

The CHAIRMAN. Mr. Greenblum, you are informed that you are still under oath. I may say that I am very sorry that we had to call you. I understand that your mother died just a couple of days ago. However, a matter of considerable importance came up, a matter of importance to you and to the committee's investigation, and we decided that we had no choice but to call you back.

Mr. COHN. Mr. Greenblum, you were questioned before the committee on October 12th. Do you recall that?

Mr. GREENBLUM. Yes.

Mr. COHN. And on that day, on page 470 of the record—for the benefit of Mr. Rainville and Mr. Jones, you are employed out at Fort Monmouth now?

Mr. GREENBLUM. Yes, sir.

Mr. COHN. Where do you work there?

Mr. GREENBLUM. At Evans Signal Laboratory.

Mr. COHN. Will you keep your voice up.

Mr. GREENBLUM. At Evans Signal Laboratory.

Mr. COHN. What type work do you do at Evans Signal Laboratory?

Mr. GREENBLUM. I am an electronics engineer.

Mr. COHN. Now, do you have a security clearance?

Mr. GREENBLUM. Yes.

Mr. COHN. Up to what?

Mr. GREENBLUM. Up to secret.

Mr. COHN. Now, you testified as follows on October 12th, and I am reading from page 470:

Mr. SCHINE. You also knew Julius Rosenberg?

Mr. GREENBLUM. The same way.

Mr. SCHINE. You saw him after you left college on a number of occasions?

Mr. GREENBLUM. Yes.

Mr. SCHINE. Will you give us the occasions?

Mr. GREENBLUM. Rosenberg was employed at the Signal Corps Inspection Agency, and I think I saw him on one or two occasions at the office there.

Now, on page 476, you were asked:

Mr. SCHINE. When you met Rosenberg, what was the nature of your conversation with him, when you ran into him when he was an inspector at Fort Monmouth?

Mr. GREENBLUM. Just practically nodding heads. I never knew him more than to acknowledge him.

Mr. SCHINE. Did you know any of his friends at Fort Monmouth?

Mr. GREENBLUM. No.

Mr. SCHINE. Do you know any of the names of the people with whom he associated at Fort Monmouth?

Mr. GREENBLUM. No, sir, I don't. My relationship was merely a nodding of the head.

And so on and so forth.

Now, we have had testimony here that during the time Rosenberg was the Signal Corps inspector——

The CHAIRMAN. Could I interrupt?

Do you question the fact that that is your testimony as given the other day? That was the testimony as you gave it? You recognize that?

Mr. GREENBLUM. Yes, sir.

Mr. COHN. Now, we have had testimony here from another witness under oath to the effect that you had a very close association with Rosenberg, that as a matter of fact at one time you rode to work with him in a car for a period of two months.

Do you care to make any comment on that?

Mr. GREENBLUM. I don't recall that at all.

Mr. COHN. Do you know a man by the name of Joseph Levitsky?

Mr. GREENBLUM. Yes, sir, I do.

Mr. COHN. Joseph Levitsky has testified here under oath that you and he and Julius Rosenberg were very closely associated, that

for a period of two months you and he and a man named Markus Epstein—Do you know a man by the name of Markus Epstein?

Mr. GREENBLUM. Yes.

Mr. COHN. You do?

Mr. GREENBLUM. Yes.

Mr. COHN. The testimony was that you and he and Markus Epstein and Julius Rosenberg rode back and forth to work together for a period of two months.

Mr. GREENBLUM. I don't recall that at all, sir.

Mr. COHN. You say you don't recall that at all?

Mr. GREENBLUM. No, sir.

Mr. COHN. Of course, that is in direct conflict with the testimony given this committee. Would it be conceivable that you rode back and forth in a car with Julius Rosenberg every day for two months and would not recall that?

The CHAIRMAN. Do I understand it is still your testimony that you did not share in this car pool with Julius Rosenberg, Markus Epstein, and Joseph Levitsky? Is that your testimony?

Mr. GREENBLUM. I don't recall that all. I really don't recall that at all.

The CHAIRMAN. Well, if you had shared in a car pool with them, you would remember that, wouldn't you? If you rode back and forth over a period of two months with a man who was subsequently executed for espionage, that certainly would not slip your mind?

Mr. GREENBLUM. Well, I will tell you, Senator, I do not recall that incident at all. And to me, Rosenberg, even before this other business came up, was somebody who I just did not like the looks of. I hadn't liked his looks in school, and I had never had anything to do with him.

The CHAIRMAN. Did you share a car pool with anyone?

Mr. COHN. Going from Philadelphia to Camden?

Mr. GREENBLUM. Oh, from Philadelphia to Camden?

Mr. COHN. Well, now, we are not asking you here to discover what route the car took, or anything like that. The question is: Were you in a car pool with Julius Rosenberg, Levitsky, and Epstein? You see the three of them were Communists and traitors. It is very important that we know that.

Mr. GREENBLUM. I don't recall going from Camden to Philadelphia with Rosenberg and Levitsky. But I do remember going with Epstein. He had a car.

Mr. COHN. Who else was in the car?

Mr. GREENBLUM. And Levitsky.

Mr. COHN. How about Rosenberg?

Mr. GREENBLUM. Now, Rosenberg I don't recall. And I will tell you who I do think was in that car. It could have been Al Walker. There was a man by the name of Al Walker. Now, we lived in Philadelphia in an apartment. There was Walker, myself and Epstein. Now, Levitsky lived in another apartment, by himself, during this period.

The CHAIRMAN. Did you know that Levitsky and Epstein were Communists at that time?

Mr. GREENBLUM. No, not at all.

Mr. COHN. When did you find out Levitsky was a Communist?

Mr. GREENBLUM. I actually—this fellow—I have gone over this in my mind for two days now, and he has been deceptive over the years, and until he refused to answer your question the other day, I did not know for an absolute fact. I did not know for an absolute fact.

Mr. COHN. You didn't know for an absolute fact. When did you first suspect that he was a Communist, have reasonable grounds to believe that he was a Communist? You were very closely associated with him.

Mr. GREENBLUM. There was a period of years in which he never spoke politics at all. Up until about 1945, I never heard him talk about politics. And this other thing about Epstein—

Mr. COHN. Now, wait a minute. I want to get this. There was a period when he did not talk politics. Let us talk about the period when he did talk politics. I want to know when you first had reasonable grounds to believe that Levitsky was a believer in communism, a Communist sympathizer.

Mr. GREENBLUM. Well, he spoke current events, I never heard him speak Marxist principles.

The CHAIRMAN. When you rode with Levitsky and Epstein and a fourth man, did you discuss communism?

Mr. GREENBLUM. No, sir.

Mr. COHN. Now, bear in mind we have had some testimony here from Mr. Levitsky.

Mr. GREENBLUM. Yes.

Mr. COHN. Estimate for us as best you can when you first suspected, believed, that your friend Levitsky was a Communist or a Communist sympathizer?

Mr. GREENBLUM. I didn't exactly know what he was up to.

Mr. COHN. Well, when did you suspect that he was a Communist?

Mr. GREENBLUM. Somewhere in the period from 1946 to '48.

Mr. COHN. Not before that?

Mr. GREENBLUM. No, sir.

Mr. COHN. What did you think he was before that? Did you think he was conservative in his views?

Mr. GREENBLUM. No, he wasn't conservative in his views.

Mr. COHN. Didn't you think he was a Communist before 1946? Now, this man was an intimate friend of yours. Please be frank with us.

Mr. GREENBLUM. Yes. I am trying to. Will you repeat the question again, sir?

[The question was read by the reporter.]

Mr. GREENBLUM. No, I wouldn't say a Communist. This is an important distinction I want to make.

Mr. COHN. All right.

Mr. GREENBLUM. You hear a lot of people express all kinds of ideas without—He never asked me to go to a meeting.

Mr. COHN. Now, I don't care whether he asked you to go to a meeting. This man was a good friend of yours. You heard him express ideas. Now, when did you first know he was sympathetic toward communism?

Mr. GREENBLUM. I knew that he was a radical of some variety, that he had very liberal opinions. And I knew that all through the time that I knew him.

Mr. COHN. Would you say you knew he was a radical of varieties all the time you knew him?

Mr. GREENBLUM. Of varieties. I don't know exactly. I think there is an important thing, here——

Mr. COHN. You knew he was a radical of varieties all the time you knew him. In spite of that fact, you recommended him for a position with the Signal Corps in a highly sensitive spot, did you not?

Mr. GREENBLUM. I recommended him for a position?

Mr. COHN. That is right. You were one of his references for employment with the U.S. Signal Corps in Evans Laboratory. Isn't that a fact?

Mr. GREENBLUM. I don't remember that.

Mr. COHN. Sir?

While you are thinking about that, let me ask you this. Knowing he was a radical, and having taken your dates of 1946 to 1948, when you thought he was a Communist, I would like to know why, holding a highly sensitive position in the Evans Signal Laboratory as late as within the last year, you have entertained Levitsky at your home?

Mr. GREENBLUM. I have heard the man express radical opinions. I am not even certain that these are the right words. And I think that there is another point here, that this fellow, from 1948 on never mentioned a word, never spoke politics or mentioned a word of it. And I would like to recite how many times he was at my house, and never a word from him.

Mr. COHN. Just before we get to that, on this question of your being a reference for him in your obtaining his position at Evans, are you the Carl Greenblum who resided at 274 Stockton Street, Brooklyn?

Mr. GREENBLUM. Yes.

Mr. COHN. There is no doubt about that.

The next thing I would like to establish: Has he been in your home within the last year?

Mr. GREENBLUM. No.

Mr. COHN. When was he last in your home?

Mr. GREENBLUM. I believe he was in my house in July of 1952.

Mr. COHN. July of 1952, the summer before last. When was he there before that?

Mr. GREENBLUM. I think two years earlier.

Mr. COHN. Let me ask you this, Mr. Greenblum: Is it your conception that somebody working on highly classified radar material at Evans Signal Laboratory should entertain a Communist?

Mr. GREENBLUM. I didn't know him actually to be a Communist.

Mr. COHN. Let me ask you this, now, as far as Julius Rosenberg is concerned. Our information is that you went to Signal Corps School with Julius Rosenberg and in a very small class. Isn't that true?

Mr. GREENBLUM. I was in his section? I don't recall him there. Wait. I recall him at the school.

Mr. COHN. Mr. Greenblum——

Mr. GREENBLUM. Wait a minute. There was a man by the name of Calabro, I was with, in a small section.

Mr. COHN. I am not asking about Calabro. I am asking about Rosenberg. You have got to be frank.

Mr. GREENBLUM. I am going to be frank. I will tell you everything I know. There were thirty people in the school. I may have nodded my head to him there.

Mr. COHN. Was Julius Rosenberg one of those thirty people?

Mr. GREENBLUM. Yes, he was.

Mr. COHN. Couldn't you have told us that when you were here the other day?

Mr. GREENBLUM. Well, I will tell you. When I was here the other day, I said on one or two occasions when I was down at the Signal Corps School, there, all I did was nod my head at the man the same as I did up in the other place. I never had anything do with him.

Mr. COHN. Do you deny to us, under oath, that you were in this car pool from Philadelphia to Camden with Rosenberg, Levitsky—

Mr. GREENBLUM. I don't deny this, because I don't recall this at all.

Mr. COHN. Now, if you didn't like Rosenberg and were so sure you didn't like him and just nodded to him once or twice, is it conceivable that you could have ridden back and forth to work from Philadelphia every day in this period and have no recollection of it?

Mr. GREENBLUM. I don't have any recollection of it. I just don't have any recollection of it.

The CHAIRMAN. May I say for your information: Either Mr. Levitsky was perjuring himself, or you have perjured yourself.

Mr. GREENBLUM. I don't recall it.

The CHAIRMAN. Let me finish, please.

Mr. GREENBLUM. I am sorry.

The CHAIRMAN. You are both under oath. He said for two months, day after day, you rode in the same car. He refused to say whether or not you had discussed espionage, refused to say whether or not you had discussed communism. Vivian Glassman refused to state whether or not you were a member of the Communist party. There was a great deal of evidence about you. I don't know whether Levitsky is lying, or you are. One of you is.

Let me finish. I am giving you this information so that you can consult a lawyer. One of you is lying. One of you is deliberately lying. There is no question about that. I am referring this to the attorney general, with the request that they conduct a complete investigation to determine who the perjurer is and have him indicted. I don't know whether they will determine that you were lying or Levitsky was.

Mr. GREENBLUM. Which question?

The CHAIRMAN. I am giving you this information so that you can take whatever steps are necessary to protect yourself. They may decide that you are telling absolutely the truth, and that Levitsky was trying to involve you. I don't know. But it is a matter of such great importance that this will be submitted to attorney general instantly.

Mr. COHN. I want to ask you this, sir. You say you knew Mr. Epstein. Did you know Epstein was a Communist?

Mr. GREENBLUM. No, sir.

Mr. COHN. I see. Where is Epstein now?

Mr. GREENBLUM. I think he lives somewhere in Long Island.

Mr. COHN. When did you see him last?

Mr. GREENBLUM. Can I ask another question? Just what is this statement, Senator? I mean, just what is the perjury here?

The CHAIRMAN. You testified the other day that you had only seen Rosenberg once or twice, that you only had a nodding acquaintance with him, that you didn't like him. The testimony of Levitsky is that you rode with him for two months at least in a car pool from Philadelphia to Camden, that you and Rosenberg were close, that all four of you were good friends. Now, I know that one of you must be lying, you see.

Mr. GREENBLUM. That is right.

The CHAIRMAN. I do not know that you are. As far as I know, you may be the most truthful fellow in the world. The point is that somebody is guilty of perjury, and we intend to have the man who was guilty of perjury prosecuted. I merely inform you of this so that you may take whatever steps you want to take to get a lawyer or anything else,

Mr. COHN. Okay, Mr. Greenblum. We will excuse you.

Mr. GREENBLUM. I would like to make some statement here, which I think is important, about all of this.

Mr. COHN. Sure,

Mr. GREENBLUM. I think this is quite important. If one recites the whole story of my association with Levitsky, I think that the conclusion that you come to is not only that he was quite secretive about being a member of the Communists. He never, during the entire period that I knew him, he never asked me to go to a meeting. He never in any way showed action, some positive action, aside from—well, aside from something that you might conceivably—and this is far from it—in speech, ever indicate that he was a Communist, a member of the Communist party. Now, he cultivated both myself and my friends. And I can give you a large number of these people, of which Mark Epstein is one. Now, what he ever told Mark Epstein, I don't know. He actually went into business with Mark Epstein. And the conclusion that you come to over the years, I mean, trying to cultivate this friendship, was that this man was more than a Communist, that he was actually trying to get information. And this is the reason that he had a large number of friends, both of the group that I knew and people he knew in his own plant, and a lot of other people.

Mr. COHN. When did you come to the conclusion that he was trying to get information from intimate friends?

Mr. GREENBLUM. I didn't know for sure, but around 1948 I spoke to Lou Antell, one of the people, and we—Well, wait a minute. When did I come to the conclusion? I want to amend that statement. I didn't come to the conclusion that he was partly in the business of getting information until the day before yesterday, when I read the article. And I went all through this. This is when I came to this conclusion. All along, as far as I was concerned, he went all out of his way to be very, very friendly. I mean, he invited

people over to his house. And there, there was never any discussion. There were no discussions which you could say were Communist. The man never asked for information from me. All of these things didn't add up to him being to me an actual Communist party member,

Mr. COHN. What facts now, looking back, lead you to believe it?

Mr. GREENBLUM. There are a lot of facts, when I look back, which, coming together, lead to this conclusion.

Mr. COHN. Now, look. You were in here the other day, and you gave testimony concerning your relationship with Rosenberg. Now, frankly, we took it at face value. We didn't know anything about it.

Mr. GREENBLUM. Well.

Mr. COHN. Let me finish, here. You will feel better about it. We had this man, Levitsky, and we had some other witnesses.

Mr. GREENBLUM. Other witnesses?

Mr. COHN. Now, wait a minute. Levitsky is a well-known Communist. He is a Fifth Amendment case as to a lot of things.

It so happened he was willing to answer questions about his associations and contacts, although he would not answer questions about his Communist activities. Now, he stated very freely and in some detail associations of himself, Epstein, yourself, and Rosenberg. He fully declined on all questions concerning Communist party membership. We take out his application, Levitsky's, virtually an admitted Communist, and we take out the Fifth Amendment case on communism and take out his application, and you are one of his references.

We asked him when he saw you last. He said, "A couple of months ago." He was going out to your house to pay visits to you, and so forth.

You are working at Evans Laboratory with secret clearance. You can understand the position that puts us in. It is a matter of very great concern.

Now, let me say this. You have nothing to be afraid of if you tell the truth here. Don't be upset about it, and don't be nervous about it. One thing we want from you is the truth and the whole truth. We don't want to pull facts out of you one by one here. We want all the facts. And if you give us all the facts within your possession, that is all we want. You have nothing to be concerned about.

I want to make a suggestion. On top of this, you have had a tragedy in your family. And we are certainly concerned about necessity of pulling you in here. Why don't you go out and have lunch and think this whole thing over, think it over carefully, your relations with Rosenberg, with Levitsky, from top to bottom from the time you met them until now, and then come in here this afternoon, come in after lunch, in an hour or an hour and a half.

Mr. GREENBLUM. Can't we continue here? I would like to get this whole thing over.

The CHAIRMAN. Just a minute. I think it would be better if you went home for a couple of days and came in again. You have not been completely frank with us. Do not get excited. I can understand how a witness who was working in a job like you are working in may hesitate in giving all of his associations with Rosenberg,

even though he, himself, is completely innocent. Just let me finish, please.

Mr. GREENBLUM. I am terribly sorry, sir.

The CHAIRMAN. I can understand your trying to hide from the committee some of your associations with Levitsky after you discover he is an espionage agent. There is only one thing you can do now, and that is to come in and very freely and very frankly give us all the information you have. You are giving us more information today, you see, than you did the other day. The other day you said you had never met Rosenberg except once or twice. Now we discover that you went to a small school with him, of thirty people. We know either Levitsky was deliberately lying about you—And he might well be doing that. All indications are that he has been in espionage work and is a top Communist. He may have some grievance against you, I don't know.

I am going to order you to go on home and come back here either this afternoon or next week. When do you want to come back?

Mr. GREENBLUM. This afternoon.

The CHAIRMAN. All right. What time?

Suppose you come back at three o'clock this afternoon. You may step down and come back at three o'clock this afternoon. Did you hear me, sir? You may leave and come back at three o'clock this afternoon or if you prefer coming back next week, you may do that.

Will someone show the young man to the door?

The CHAIRMAN. I believe the general had a statement to make.

TESTIMONY OF GENERAL KIRKE B. LAWTON (RESUMED)

Gen. LAWTON. It has been brought out in this investigation that there were about fifteen people at the Evans Lab who had authority to take classified material to their homes or on official business on trips. It was a standing pass. As of 15 October of this year, we have rescinded that, and now no one can take anything away from the laboratories without a specific authority. Or let me say this: can take it away from any classified place at Fort Monmouth without specific authority of four individuals. One of them is myself. Let's make it "the commanding general of Fort Monmouth," because I might not be there tomorrow. And the commanding general of the Signal Corps School, the commanding officer, and it happens to be a colonel, of the Signal Corps Engineering Laboratories, and the commanding officer of the Electronic Warfare Section. There is one exception. Students may take restricted material to their quarters, provided they have a trunk locker or suitable locker to put it in while they are not actually in possession of it.

The CHAIRMAN. The commanding general of Fort Monmouth, the commanding general of the Signal Corps School, and who else?

Gen. LAWTON. The commanding general of the Signal Corps Engineering Laboratory and the commanding officer, Electronic Warfare Center.

The CHAIRMAN. I think, General, that is certainly excellent.

We have been disturbed beyond words by this thing, most of which was in existence long before you got there, and I think there has been considerable improvement since you got there. I was tremendously disturbed by the evidence that during the war time

there was no logging in or out of any secret material. It was just in or out at will.

Gen. LAWTON. May I add, for the protection of those fifteen that now have it, that there is no reflection on them. It is just a general tightening up in areas where the evidence shows it has to be tighter.

The CHAIRMAN. This applies not only to the headquarters where the fifteen were located?

Gen. LAWTON. The whole post.

The CHAIRMAN. I do not want to embarrass you, but may I ask you the question: Why in the devil was this not done earlier?

Gen. LAWTON. I knew this, but before this investigation I had confidence in those fifteen people. I still have, but this is just another degree of security, stronger security,

The CHAIRMAN. I realize one of the handicaps you have which the committee does not have, and that is that you have no authority at all to call a man in and put him under oath. If you call him in, he can lie to you from hell to breakfast, and you can not do anything about it.

TESTIMONY OF CARL GREENBLUM (RESUMED)

Mr. GREENBLUM. I am all right now, and I want you to excuse me. I want to start afresh, and I want to explain the very natural circumstances of coming here and trying to hide an association with Levitsky, who I know to be a Communist. I know him to be a Communist, because he told me he was a Communist.

Supposing you ask me questions, in a developed way, if you like, and I will try to tell the story. You see, I have nothing to hide, have never done anything. But I know these people, and there was a foolish association there, and I think I can make clear both the people and what they told me and some of their associates.

Mr. COHN. That is fine. We want you to sit back and relax. All we want from you is the truth and you will be fully protected, and that is the best thing in the world for you.

Suppose you start at the beginning and tell us everything from top to bottom, and then if we have any questions at the end we will ask them.

The CHAIRMAN. In connection with Rosenberg, Levitsky, everything.

Mr. GREENBLUM. Okay. I will start out from school.

I met Rosenberg there, and never cared very much for him. And I will tell you why, completely. As a boy, I joined the Young People's Socialist League in the neighborhood in which I lived. And briefly, I was a member of the Socialist party. And I pretty much, in those days, despised the Communists. And so, when I went to school, in my class there was a fellow by the name of Sevitsky, who was being influenced by Rosenberg. And at that time I more or less tried to present the Socialist point of view.

Mr. COHN. In other words, Rosenberg was pulling to the Communist side, and you were pulling to the Socialist side?

Mr. GREENBLUM. This is essentially it. So that there was a natural animosity. And this is the reason, in school, there, I would guess, that nobody ever tried to approach me in any way. I know

they had a club there. I am digressing at the moment. We can come back to that if you are interested.

When we went to work, I went to work for the Signal Corps Inspection Agency in July of 1940. And shortly thereafter, I met Levitsky. I don't know exactly where. But when we went down to Camden—wait a minute. In that same summer, in August of 1940, we went down to Fort Monmouth for a training program. And as I told you previously, I don't recall with any clarity Rosenberg. I know he was there, but, again, it was a head-shaking business, and that was it. I haven't seen him in the intervening period. Now, I next met Levitsky down in Camden. And I roomed as I said before, with Epstein and Walker. And there were quite a few single fellows down there at the time, so that we went out together, and so on. And Levitsky was a kind of a personable person, was then and has been all along, an ingratiating kind of guy, and always seemed to go out of his way to do things for you and be pleasant, and he was quite interesting. I found him interesting. Let's put it this way. And after I left Camden, I went up to New York and worked around several of the plants, and he went to Baltimore. Somewhere he went to Baltimore there, and he was discharged. And I don't recall exactly the circumstance why he was discharged from the job. But when he related the story to me, he talked about some kind of impropriety. He said they were slightly anti-Semitic. And I felt that he had been done an injustice with this anti-Semitic business.

Let's see. After he was discharged, he went to work at Federal. As a matter of fact, at the time of that story, he was worried about what he was going to do, and I was at Federal and said, "They need engineers mostly," and he asked me to name a few places, and one of those that I mentioned was Federal. I was not at the laboratory. I was not at Federal Laboratory, which was at New York. I was at the factory. But he went to work, and that was a kind of sensitive spot, you might say. During this period, or slightly thereafter, he married this girl from Philadelphia, and I went down with Mark Epstein and another man, who he knew, in Baltimore, and whom I suspected was also discharged, though I don't know this for a fact. And his wife was a woman named Laura. This is what I remember. He went up to New York for GE. And that was the last I ever heard of him.

The next I recall—I associated almost continuously over a period of time with Levitsky, and I met a couple over at his house, a couple by the name of Fred and Ceil. I don't recall their last names at the moment. Fred and Ceil. And I believe that at this point—this is what I believe—I believe that at this point he joined the Communist party. This is what I believe. Although he didn't mention this to me until sometime later. And I knew they were up to something, but also I had a large group of friends, the most important of which was Epstein. And then I knew Antell and Walker, and I can give you all the names of all the people I knew, and who went up to his house.

Later on, during this period, maybe in '47, they talked about going into some kind of business. And I was interested for awhile, but I dropped out. He subsequently went into business with Epstein. He stayed in business with him for about a year, and then Epstein dropped out. He continued with the third man. The third

man had come from Federal, the name of the man I don't recall. They took some kind of store in Flatbush in New York.

At this time, Lou Antell, who I had meanwhile become quite friendly with—this is about '47 or '48—I had a discussion with, and he mentioned this Communist business, but the way he looked at it was a little bit different. I more or less, you might say, countenanced it. That is, I shrugged my shoulders at it. And he actually suggested that we stop seeing him. I think I said I thought it was a good idea. What I did do thereafter was merely, instead of seeing him two or three weeks, four or five weeks, something like that—from the period of 1948 to 1952, I saw him exactly five times. I can go into detail on each one of the occasions that I saw him.

As a matter of fact, he never met my wife until a wedding party was given. I courted my wife for a few months, and when he came to the wedding party he came not through me but through meeting one of the people who I knew at the party. And I can give you the names of all of the people who were at this wedding party, and who I had been friendly with when I had been going to the Levitskys. That is, there were whole periods in which I didn't see him. There would be three, four, or five months.

Oh, I neglected to say something else before. During the time that this Fred and Ceil were there, there was another couple at this house who I also suspected to be part of the same ring. A man's name was Leo, and I don't recall the woman's name. I just don't recall. I saw them one more time, and this was after the wedding party. Joe was pretty friendly, and he said, "Why don't you come to visit with us?" And he gave us a dinner. This was some three or four months after the wedding. We went over to his house, and we ate there. And as a matter of fact, I think we slept there. He didn't talk politics. Those five visits that we had, he didn't talk any of these things, and I didn't talk about them. Meanwhile, this situation, the political situation, the times had changed, and this was not the thing to talk about.

After dinner, at this same dinner, this couple, Leo and so on, came over, and they stayed for a while, and then they went home.

The next time I saw him, he came to our house, which was about—let me consult for a moment—let's see. The wedding was in '49, and this was early in—we went to his house somewhere around February or March in '50, and he came down to our house somewhere in the summer of '50.

The next time we saw them was in '52. The way we saw them was in the following circumstances. We didn't invite them. We had more or less decided that we wouldn't have anything more to do with these people. We were slow coming to a realization that this was not the thing to do, but we just didn't invite them. I talked this thing over with my wife. And in '52, he dropped in by car, saying that he had been visiting down somewhere along the Jersey coast, and this was on the way up, and he was going to just see us.

I saw him on one other occasion. That was at the IRE meeting. This was in '51. I ran into him. And this is a circumstance which I think is very, very important. I met him at the IRE meeting, and we went out to lunch. When we went out to lunch the Rosenberg case was just about coming up, there, and I said to him, "Say, you

didn't have anything to do with this business did you?" And he said, "No, but there, but for the grace of God, go I." That is what he said.

And on the '52 meeting, I think he repeated this, "There, but for the grace of God, go I" again. That was the final time I saw him. In the five meetings that we had, since I came down to the labs, we never discussed our work. We never discussed my work there.

Mr. COHN. How about prior to those five meetings? Did you ever discuss your work?

Mr. GREENBLUM. Well, as I said, during the years from 1945 to '48, at his house, he would never say just exactly what he was doing. He would never say those things. But I get the impression now, looking back, that they were just listening to details. That is, the different fellows work in different places. Al Walker worked up in an aircraft factory, and Mark Epstein worked in several different small concerns, and Lou Antell was an inspector in one of the plants, and I was an inspector.

Oh, this may be of some interest. The first time that I met this fellow Fred, I was introduced to him by Levitsky. When Levitsky introduced me to him, he said, "He is an inspector at one of the large electric plants." I was at Western Electric then, and he expressed some interest. He seemed to express some interest in this kind of thing.

Now, there is one other thing. Somewhere in the period of '46 to '48, Joe Levitsky invited me—we made an appointment to go to dinner at some midtown restaurant, and when we got there it turned out that there were three other couples who had been invited. And in looking back, I think that this was a time where maybe Levitsky was letting somebody take a look at him. Because these people sat at dinner. They scarcely talked to me. As a matter of fact, it was a very, very grim kind of setting. And some of the people looked familiar. There were three couples, I think. And I believe this fellow—what is the name of this fellow who was indicted for perjury?

Mr. COHN. Perl?

Mr. GREENBLUM. I believe he was at this group. I had known him very, very casually at college.

Mr. COHN. Who else was there that night?

Mr. GREENBLUM. That night? I can't remember the other pictures. I can't remember.

Mr. COHN. Were they introduced to you by name?

Mr. GREENBLUM. No. Well, maybe they were. I don't recall their names. But I remember it being very grim. They just sat and ate, and they just got up and left.

Mr. COHN. And looking back on that, you feel as though you were asked there that night so that they could look you over with a possible view toward asking you to come in with them?

Mr. GREENBLUM. Yes. This is what I think,

Mr. COHN. Go ahead. Is there anything else you want to tell us?

Mr. GREENBLUM. Well, I can give you all of the names of all of the people. I wish you would ask all of the questions.

Mr. COHN. Did Levitsky ever ask you to come in with them?

Mr. GREENBLUM. No. No, here is the reason why, I think. He and I were friendly. He had told me he joined the party. But I believe

that in that group there was somebody who knew of me from the college days, you see, and therefore I was suspect. In other words, this is what I think.

Mr. COHN. Did Levitsky ever hint around to any of the other people?

Mr. GREENBLUM. Hint around to the other people?

Mr. COHN. Or hint around to you? Or did any of the other people ever hint around to you, concerning helping them out in any way?

Mr. GREENBLUM. No, sir.

Mr. COHN. Did Levitsky ever say or do anything indicating to you that he had been taking information, that these people had been taking information?

Mr. GREENBLUM. No.

Mr. COHN. Is there anybody up at Monmouth now who is associated with Levitsky who you met on any of these occasions?

Mr. GREENBLUM. Yes.

Mr. COHN. Where is Antell?

Mr. GREENBLUM. He still works for the Signal Corps.

Mr. COHN. Where does he work for the Signal Corps?

Mr. GREENBLUM. He works for the Signal Corps Inspection Agency in New York.

Mr. COHN. When did you last see him?

Mr. GREENBLUM. I saw him, I guess, five or six months ago. I dropped him.

Mr. COHN. Can you recall for us who was at this meeting with Levitsky and Perl and yourself?

Mr. GREENBLUM. If you show me pictures, I think I could recall, looking from a picture.

Mr. COHN. You say you were there, your wife, and Levitsky

Mr. GREENBLUM. No, it wasn't my wife; maybe some girl I was with at the time. I don't even recall which girl it was.

Mr. COHN. Who was Perl with?

Mr. GREENBLUM. I think he was there with his wife.

Mr. COHN. You don't remember any of the names, or any of the first names?

Mr. GREENBLUM. I remember nothing.

Mr. COHN. Then there was another couple?

Mr. GREENBLUM. There were three couples outside of myself that I remember.

Mr. COHN. Do you remember either of the other two?

Mr. GREENBLUM. No. Now, I am going to make a guess. Somewhere during the time when I was inspector at Western Electric, one of their plants, I ran into a man who I briefly knew at school; that is, again, casually. His name was Nathan—

Mr. COHN. Sussman?

Mr. GREENBLUM [continuing]. Sussman. Now, I don't recall if this was the man. But I remember Nathan Sussman as also trying to influence Sevitsky.

Mr. COHN. What about Sevitsky? Where did he end up?

Mr. GREENBLUM. I never saw him but once after school, and I don't know what happened to him.

Mr. COHN. When was that once?

Mr. GREENBLUM. This was—I remember the date. I had been married before. And this was just after the marriage was annulled.

Let me think for a moment. Let's see, I was twenty-one years old when I got married.

That would be about eight years ago.

Mr. COHN. What was he doing there?

Mr. GREENBLUM. I don't recall. I met him on the subway, on the East Side, and we had been more or less friendly. In school he had been in my squad. And we were just talking, and he remembered that we had once been caught kind of close. And I said "yes."

Mr. COHN. What was his first name?

Mr. GREENBLUM. I don't know. Can you give me some of the names?

Mr. COHN. What class was Sevitsky in?

Mr. GREENBLUM. I think he graduated the same time I did. February '39.

Mr. COHN. '39?

Mr. GREENBLUM. Yes.

Mr. COHN. What degree did he get?

Mr. GREENBLUM. I think he was an electronics engineer.

Mr. COHN. What was Antell's first name?

Mr. GREENBLUM. Louis.

Mr. COHN. Was it Morris Sevitsky?

Mr. GREENBLUM. Morris.

Mr. COHN. You don't know whether he was working for the government or not?

Mr. GREENBLUM. No. I am just guessing now, from the conversation we had, I think he was talking about going into teaching. But I never knew him to work for the government anywhere.

Mr. COHN. He was talking about going into teaching?

Mr. GREENBLUM. He spoke about he had just gotten married.

Mr. COHN. Who else did you meet in the company of Levitsky? How about this man Leo?

Mr. GREENBLUM. I don't remember his name. I can describe him to you.

Mr. COHN. Did he work for the government?

Mr. GREENBLUM. No.

Mr. COHN. What did he do?

Mr. GREENBLUM. As I recall, he was running some kind of a candy store somewhere.

Mr. COHN. Was he a Communist?

Mr. GREENBLUM. I never heard that he was; the same as this fellow Fred and Ceil. But I suspect that he was.

Mr. COHN. How about this man Fred? What was his last name?

Mr. GREENBLUM. I don't recall.

Mr. COHN. What was he doing for a living?

Mr. GREENBLUM. He was going to school to be a mechanical engineer, and somewhere in that period he became a mechanical engineer, and he went to work, somewhere in New Jersey, around '47 or '48.

Mr. COHN. What school did he go to?

Mr. GREENBLUM. At night, at that time. I don't recall. It may have been Cooper Union. As a matter of fact, when I first met him, Joe introduced him as somebody who he had known in the Cooper Union days, something like this. And it was my impression.

Mr. COHN. How about Levitsky's association with Rosenberg?

Mr. GREENBLUM. After I saw him down in the Signal Corps School there, I don't know whether he actually ever associated with him.

Mr. COHN. Did he ever mention Rosenberg?

Mr. GREENBLUM. I think he mentioned him briefly in some casual way, but I never saw him.

Mr. COHN. How about Morton Sobell?

Mr. GREENBLUM. No.

Mr. COHN. Did Levitsky know Sobell?

Mr. GREENBLUM. I don't think so. He may have.

Wait a minute. He may have known him. If he knew this group with Perl, I would suspect, and I am just suspicioning now, that he would.

Mr. COHN. Let me ask you about this dinner when you had Perl out there. Where was this held?

Mr. GREENBLUM. This was held, I think, in a French restaurant on 34th Street.

Mr. COHN. In Manhattan?

Mr. GREENBLUM. I would remember the name if I saw it.

Mr. COHN. In Manhattan?

Mr. GREENBLUM. Yes.

Mr. COHN. You say these three couples came, and they said almost nothing?

Mr. GREENBLUM. Yes.

Mr. COHN. Didn't you ask Levitsky about that?

Mr. GREENBLUM. Yes. I think he made some casual comment. The whole thing that sticks out at the meeting is that they seemed to be so grim about things. And later, the five times that I saw Levitsky, from 1948 to the last time, he also seemed grim and shaken.

Mr. COHN. You said there was some period when Levitsky said something to you about not seeing him? Did I understand that correctly?

Mr. GREENBLUM. No. Not when I went to Antell, I spoke to Antell, and he thought it would be a good idea, since he felt that things didn't sound right there.

Mr. COHN. Oh, I see. Antell thought it would be a good thing.

Mr. GREENBLUM. Antell thought it would be a good thing. And I agreed with him. Instead of breaking off completely.

Mr. COHN. Who was closer to Levitsky? You, or Antell?

Mr. GREENBLUM. Oh, I was closer to Levitsky.

Mr. COHN. Was Antell ever with Levitsky when you were not there?

Mr. GREENBLUM. I don't think so. He may have been.

Mr. COHN. Did Levitsky ever approach Antell on anything?

Mr. GREENBLUM. I don't know, I don't think so. I think the guy he may have worked on was Epstein, who he saw as much as he saw me.

Mr. COHN. Where is Epstein now?

Mr. GREENBLUM. He works for a small company here in New York.

Mr. COHN. Was Epstein a Communist?

Mr. GREENBLUM. No. No, he had no inclination whatsoever.

Mr. COHN. But you think that he probably was one of the people Levitsky would have worked on?

Mr. GREENBLUM. He would have worked on him. I think he would have worked on Al Walker, but Al would have had no part of this.

Mr. COHN. Where is Al Walker now?

Mr. GREENBLUM. He has his own business somewhere.

Mr. COHN. Where is that?

Mr. GREENBLUM. Somewhere on Long Island.

Mr. COHN. What kind of business?

Mr. GREENBLUM. They make machine parts, do a little electronics work for the government.

Mr. COHN. What is his first name?

Mr. GREENBLUM. Alfred, Alfred Conard.

Mr. COHN. And Epstein's name is Markus Epstein?

Mr. GREENBLUM. Markus Epstein.

Mr. COHN. What is the best location you could give us for Epstein?

Mr. GREENBLUM. Wait a minute, I have got his address.

Mr. COHN. How about this car pool situation Levitsky told us about?

Mr. GREENBLUM. I don't recall that at all. I mean, I may have been in it. I just don't recall. I think it is 137-53 Francis Lewis Boulevard, Rosedale. I have some of these other addresses, if you like.

Mr. COHN. Could you give us the other addresses?

Mr. GREENBLUM. Lou Antell is 1936 79th Street. There were a whole group of my friends, who also occasionally came to Levitsky.

Mr. COHN. How long is it since you have seen Epstein?

Mr. GREENBLUM. Epstein? Several years.

Mr. COHN. You were pretty sure he was not a Communist?

Mr. GREENBLUM. I was pretty sure.

Mr. COHN. What I am getting at is this: Is he the kind of man you could call in and ask to come in, or do you think it would be necessary to serve him?

Mr. GREENBLUM. You could just call up.

Mr. COHN. And do you know what Walker's address was?

Mr. GREENBLUM. 2 Spring Lane, Hicksville.

Mr. COHN. Did you know Vivian Glassman when she was out there?

Mr. GREENBLUM. No.

Can I make a statement? I didn't come to work for Fort Monmouth until December of 1948.

There was another girl, talking about people; one time Jo introduced me to a girl whose name was Sylvia. I don't recall her last name.

Mr. COHN. Was she a Communist?

Mr. GREENBLUM. I think so. I think her family was Communist, too.

Mr. COHN. When did he introduce you to her?

Mr. GREENBLUM. Well, it is somewhere between '46 and '48.

Mr. COHN. Where?

Mr. GREENBLUM. He gave me her phone number, I think.

Mr. COHN. Just a social visit?

Mr. GREENBLUM. This was just social.

Mr. COHN. Would you have kept her phone number, by any chance?

Mr. GREENBLUM. I have had this thing over the years. I will tell you what I do recall about her, later on. I just took her out there once.

Mr. SCHINE. Mr. Greenblum, you probably have in your desk or in your drawers somewhere some old address books.

Mr. GREENBLUM. This is it.

Mr. SCHINE. This is the only record?

Mr. GREENBLUM. Well, I may have others.

Mr. SCHINE. Would you take a look? And possibly they will be able to refresh your memory, and you will be able to give us some more of the names and some more facts. It would be of great help to us.

Mr. GREENBLUM. Can I ask a question?

The CHAIRMAN. Yes, certainly.

Mr. GREENBLUM. I am a little bit concerned about my own treatment. It won't make any difference. I will tell you the whole, and nothing but, anyway.

There is one other man who may be involved with this, who works at the laboratory now.

The CHAIRMAN. What is his name?

Mr. GREENBLUM. Now, this is just a suspicion. I know this guy very well, and I will remember the name. I just had a temporary mental block.

I seem to recall that he may have known Levitsky in the early days. Leon Miller.

Mr. COHN. Does he work out at Evans?

Mr. GREENBLUM. Yes. I will say this. This is just a suspicion. But if he has nothing to hide, he can come in and say.

The CHAIRMAN. And you need not worry about giving us your suspicions, because no one will get hurt unless they have something to hide.

[Whereupon, at 1:30 p.m., a recess was taken until 3:30 p.m.]

TESTIMONY OF CARL GREENBLUM (RESUMED)

The CHAIRMAN. Mr. Greenblum, Mr. Carr will proceed until Mr. Cohn comes back.

We were discussing Julius Rosenberg, I believe, at the time we took the recess. You were giving us some help on that. Will you just give us as best you can all the contacts you had with him, how many times you saw him around the Signal Corps, who he contacted, how well you knew him, and go right through the whole picture, if you will?

Then if you can refresh your memory on this car pool that ran from Philadelphia to Camden, as to who was in that, that would be very helpful, too.

Mr. GREENBLUM. I originally saw Rosenberg at school. There I think I have described what our relations were. Now, in the Signal Corps—

The CHAIRMAN. Let me interrupt as you go along. Were you in the same class with him?

Mr. GREENBLUM. I was February '39; and I don't know what class he was in.

The CHAIRMAN. I mean, was he in the same classroom with you?

Mr. GREENBLUM. I think I had several classes with him during the course of the four and a half years that I stayed there. Towards the latter two years, I would say.

The CHAIRMAN. Did you know Ethel Rosenberg also?

Mr. GREENBLUM. I met her once.

The CHAIRMAN. Was that in school also?

Mr. GREENBLUM. No, at Fort Monmouth when they went down to school, there was one occasion when she was with him, standing with a group of people, and I walked by and stopped for a moment.

The CHAIRMAN. I just noticed from the list that you were in Rosenberg's class in 1939. What does BE stand for? Bachelor of electrical engineering? There were all told I would say twenty people in that class. Did you get to know him at all well while you were in that class?

Mr. GREENBLUM. No.

The CHAIRMAN. Now, Rosenberg held a number of jobs in the Signal Corps when he was stationed in New York. He also did some inspection of classified material down at the secret laboratories at Monmouth. Did you have any contact with him when he was doing that work?

Mr. GREENBLUM. Well, let's see. He was at Emerson, I think. And in the course of my duties—I was on a separate project. I was a coordinator of a job which was among six companies, one of whom was Emerson. And I think I visited each one of these companies, and I visited Emerson either two or three times, I don't recall exactly. And on one of these occasions I saw him in the office of the chief inspector there, Ben Yelson.

The CHAIRMAN. Did you have a chance to see him down there?

Mr. GREENBLUM. I spoke to him for a moment or two.

The CHAIRMAN. Leaving that testimony for a moment or two, the testimony has been that Sobell, who since has been convicted of espionage and is now in jail, came down to the Signal Corps Laboratories at Fort Monmouth and would stay overnight, stay over weekends, with no apparent reason for being there. By hindsight, now, we know that he was doing his espionage work.

Could you shed any light on Sobell, who he associated with down there, who he contacted?

Mr. GREENBLUM. I wasn't there during this period, Senator. I have gotten it from hearsay that he contacted a man by the name of Zuckerman and also Coleman.

The CHAIRMAN. That is Aaron Coleman?

Mr. GREENBLUM. Yes. And he saw Bookbinder.

The CHAIRMAN. Did you ever see him in the presence of Coleman, see the two of them together?

Mr. GREENBLUM. No.

The CHAIRMAN. This is the same Aaron Coleman in whose apartment was found the forty-three secret documents?

Mr. GREENBLUM. Yes.

The CHAIRMAN. This car pool was awfully important. I wish you would think about that. It seems to me that knowing Rosenberg, he having been executed for espionage since then, it should ring a very definite bell in your mind if, as Levitsky has testified, you rode in this car pool over a period of about two months. His testi-

mony was this, and I can see no reason why he would bear animosity at a time when he and you were good friends and he visited at your house. He took the Fifth Amendment on a great number of matters, but when asked about this car pool he said, yes, you and he and Markus Epstein and Julius Rosenberg were in this car pool for about six months. And on close cross examination, he said he thought you had participated in it for about two months. Now, you told us this morning that you didn't, that you were in that car pool with Levitsky and Epstein, but you thought the fourth man was Walker. It is, of course, possible that the other witness was mistaken, but it is very important that you now go into that, because I want to tell you that we will investigate all phases of that, and sooner or later we will know whether or not you and Rosenberg rode in that car pool. I have the impression you are trying to be completely frank with us, and I would like to have you search your mind and let us hear about that.

Mr. GREENBLUM. I can't recall who that was. It is my impression that it was Walker. And I suggested to Mr. Cohn that Mr. Epstein be queried on this. It was his car, and he and Walker could shed some light on this.

The CHAIRMAN. We have subpoenaed Epstein already, since this forenoon's testimony.

Is there anything else you know about Rosenberg?

Mr. GREENBLUM. I think this represents all of the times that I saw him; at school, at Fort Monmouth, and, as I say, I think once at Emerson.

The CHAIRMAN. Before we turn this over to Mr. Carr, I would like to make a request of you that you do this: that you try and search your memory and see if you cannot recall who the other six people were at that top secret meeting here in New York at the restaurant, the one attended by Perl. In connection with that, the staff will give you the pictures of some of the alleged members of the Rosenberg spy ring. That might be of some help to you.

Mr. GREENBLUM. Senator, I would like to say that this was at a restaurant. It was a dinner.

The CHAIRMAN. Yes, But you are quite firmly convinced this that was a dinner attended by espionage agents, with the exception of yourself?

Mr. GREENBLUM. Well, I don't know them to be espionage agents.

The CHAIRMAN. That is your thought?

Mr. GREENBLUM. My thought is that those people were members of this Rosenberg clique.

The CHAIRMAN. And you think they brought you in to look you over and determine whether or not they could safely invite you into the ring?

Mr. GREENBLUM. That is what I suspect.

The CHAIRMAN. Now, just one other question.

This fellow, Miller, whom you mentioned this morning: could you give us some more information about him, who his associates were, anything you know about him?

Mr. GREENBLUM. Early in the Signal Corps days, my impression was that he was friendly to some extent with Levitsky.

The CHAIRMAN. And associated with Levitsky. How about Sobell? Did you know anything about his activities, either personally or by hearsay?

Mr. GREENBLUM. Well, Sobell I met at the Reeves Instrument Company, I think in 1949. It may have been '50. I am not sure. And this was the first time I had seen him since I had seen him casually at school. And I saw him in a room with several other engineers, one of whom was Perry Seay, with whom I had business. And when noontime came around, it was the custom of the engineers in this little group to go out to lunch, and the man I was with, Mr. Seay, took me along with the group. This was my only meeting with Sobell. I may have seen him again at Reeves, but this was just in that room.

Mr. JONES. Do you know of any other persons employed out there at Monmouth other than Seay and Miller whom you had met previously, either at the party where William Perl was present or on any other engagement?

Mr. GREENBLUM. Wait a minute. I mentioned to Mr. Cohn that another man, by the name of Barr, may have been one of the members at that dinner party.

Mr. JONES. B-a-r-r?

Mr. GREENBLUM. Yes.

Mr. JONES. What is his first name?

Mr. GREENBLUM. Joel.

Mr. JONES. Is he a CCNY graduate?

Mr. GREENBLUM. Yes.

Mr. JONES. What class was he in?

Mr. GREENBLUM. I think he was in the same class.

Mr. JONES. 1939?

Mr. GREENBLUM. Yes.

Mr. JONES. What is he doing today?

Mr. GREENBLUM. I don't know. I never saw him since that time.

Mr. CARR. What gives you the impression that he may have been one of them? You had seen him at school?

Mr. GREENBLUM. I had seen him at school. And then seeing him at this meeting—that is the basis of my impression.

Mr. CARR. That is the last time you have seen Barr? At this meeting?

Mr. GREENBLUM. I am not absolutely sure it was Barr.

Mr. CARR. If it was Barr, that is the last time you have seen Barr?

Mr. GREENBLUM. Yes.

Mr. CARR. And you have heard nothing from Barr as of that time? If that was him, that is the last you have heard of him? When I say "heard of him"—you have heard nothing by way of talk or anything else?

Mr. GREENBLUM. No.

Mr. CARR. How well did you know Barr at school?

Mr. GREENBLUM. Almost not at all.

Mr. CARR. Just perhaps to speak to? Just somebody that was around the school?

Mr. GREENBLUM. Somebody that was around. He may have been in one or two of my classes, but I never associated in any way with him.

The CHAIRMAN. Mr. Greenblum, there are just a vast amount of items I want to go into with you. We have called Mr. Epstein who was in the car pool. He is here now, with another witness. It is now a quarter of four.

Gen. Lawton, I wonder if you could make Mr. Greenblum available to advise with the staff on this. We want to get pictures of various people in the Rosenberg spy ring and let him go over those, sit down with the staff and go into the details, the names and places. I know you will want much of that material. That may take some time. I think it is very important that no one down at the plant know that he is doing that, at all. Because it is not a very tame crowd he has been with.

Mr. Greenblum, Mr. Juliana wants to talk to you about some of these other matters, and we are going to call Mr. Epstein now.

Mr. GREENBLUM. Yes, sir.

The CHAIRMAN. Mr. Epstein, will you raise your right hand and be sworn?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EPSTEIN. I do.

The CHAIRMAN. You may sit right down there. Mr. Epstein, your first name is—?

TESTIMONY OF MARKUS EPSTEIN

Mr. EPSTEIN. Markus, M-a-r-k-u-s.

The CHAIRMAN. And where are you working now?

Mr. EPSTEIN. Empire Devices.

The CHAIRMAN. Does that organization do any classified work for the government?

Mr. EPSTEIN. Yes, we do,

The CHAIRMAN. Secret work?

Mr. EPSTEIN. We haven't had a secret contract in the four years I have been there.

The CHAIRMAN. Some confidential work?

Mr. EPSTEIN. I don't think we have even had confidential but I am not positive.

The CHAIRMAN. Do all the employees of the plant have clearance?

Mr. EPSTEIN. I don't know, except very recently we did bid on a secret contract, and shortly after that a large majority of the employees filled out new security questionnaires.

The CHAIRMAN. When did you last work in the Signal Corps?

Mr. EPSTEIN. When?

The CHAIRMAN. Yes.

Mr. EPSTEIN. I left in January '46.

The CHAIRMAN. Sometime ago I understand you used to drive your car from Philadelphia to Camden. You had what was known as a car pool.

Mr. EPSTEIN. From Philadelphia to Camden was a daily trip. From Camden to New York was a weekend trip.

The CHAIRMAN. And you were working in Camden at that time?

Mr. EPSTEIN. That is correct.

The CHAIRMAN. Was that Signal Corps work?

Mr. EPSTEIN. Yes.

The CHAIRMAN. And who else was in that car pool?

Mr. EPSTEIN. Well, that is a little complicated. I can't answer it that simply. Let us say that I remember saying that I drove the only car. That isn't correct. Al Walker had a car, too. However, now that I recall this thing, now that I went over it, what probably happened was that his car was loaned out and was out of business for a while, so essentially I would say I did 95 percent of all the driving.

There were only five people in the car, or six maybe. However, there were more than six people who actually were driven from Philadelphia, because there were changes being made.

The CHAIRMAN. Could you search your memory and give us the names of those who rode from time to time with you?

Mr. EPSTEIN. That is easy. Well, myself, of course; Al Walker; Joseph Levitsky; Carl Greenblum; Leonard DiSesa, D-i S-e-s-a; Iz Hodes, H-o-d-e-s.

The CHAIRMAN. I did not get that spelling.

Mr. EPSTEIN. Hodes, H-o-d-e-s. And Cem Mogavero.

The CHAIRMAN. Would you spell that?

Mr. EPSTEIN. M-o-g-a-v-e-r-o.

The CHAIRMAN. And his first name was what?

Mr. EPSTEIN. I think it was C-e-m-i-l-l-o, but "Cem" was used so often. And Louis Grandizio. The best I can do is spell it the way it sounds. And Julius Rosenberg was in it, too.

The CHAIRMAN. That is the Julius Rosenberg who was subsequently executed?

Mr. EPSTEIN. Yes. I think I have covered everyone.

The CHAIRMAN. Al Walker, Joseph Levitsky, Carl Greenblum, Leonard DiSesa, Iz Hodes, Cem Mogavero, Louis Grandizio, and Julius Rosenberg. Now, you drove every day. And you would normally have how many? Four, five, or six?

Mr. EPSTEIN. Yes.

The CHAIRMAN. Would you generally have six people?

Mr. EPSTEIN. Well, what I tried to say was that I never had more than six.

The CHAIRMAN. What would your normal load be? Five?

Mr. EPSTEIN. I imagine so.

The CHAIRMAN. Would you know how many times Levitsky and Rosenberg rode in the car at the same time, roughly?

Mr. EPSTEIN. Well, I would say only so long as Rosenberg was ever in the car. And I picture that to be over a three-months span.

The CHAIRMAN. Over a three-months span. Was he working at Camden also?

Mr. EPSTEIN. We were all at Camden, at RCA.

The CHAIRMAN. And he would ride about every day when he was working at Camden?

Mr. EPSTEIN. With one exception. He worked at RCA longer than three months, I believe, but he lived only in Philadelphia, I believe, for about three months with us, and that is why he would have only been in the car for a three-months span.

The CHAIRMAN. During that three-months period, would you say he rode about six days a week?

Mr. EPSTEIN. Well, we didn't work on Saturday.

The CHAIRMAN. I see. Five days a week.

Mr. EPSTEIN. Yes.

The CHAIRMAN. Did he ever make any of these New York trips in the car?

Mr. EPSTEIN. I believe you could say 95 percent of the weekends, probably a hundred.

The CHAIRMAN. I am curious to know how many times over that three-month period, Levitsky was also in the car. Would you say he was in there every day, too? I may say Levitsky has testified that he did ride in the car and Rosenberg was in it.

Mr. EPSTEIN. Well, you are pinning me down. I am not very clear. Ordinarily, as things would stand, I would say it would be true, but I am a little hazy. For convenience maybe somebody—you see, we were not the only group. There were at least thirty people or forty. Everyone lived—well, practically everyone. And so for convenience, there may have been shifts or alternations. But you could consider it as being full time I suppose.

Mr. RAINVILLE. But when these fellows didn't ride with you, they did ride with someone else that day?

Mr. EPSTEIN. Probably. Iz Hodes was the only one who stayed in Philadelphia. Well, he stayed a few times.

The CHAIRMAN. How about Carl Greenblum? Would you say he was in there practically every day also?

Mr. EPSTEIN. That is correct. Except—wait a minute—I would like to point out that I think while Rosenberg was in the car, Greenblum was definitely not in the car, because he took his place in the apartment.

The CHAIRMAN. In other words, you think Rosenberg took Greenblum's place in the car?

Mr. EPSTEIN. Yes.

The CHAIRMAN. When did you last see Rosenberg?

Mr. EPSTEIN. I believe that would be somewhere in '43, because I know definitely I paid a visit to Emerson Radio for some information.

The CHAIRMAN. That is right. I don't want the details. Roughly, '43?

Mr. EPSTEIN. For that brief visit.

The CHAIRMAN. I don't want the details, just when you think you last saw him.

Mr. EPSTEIN. I could be wrong by a year.

The CHAIRMAN. How about Carl Greenblum? When did you last see him?

Mr. EPSTEIN. I went over that, and I guess I can tell you. It turned out that I saw him just prior to the announcement of Rosenberg's—

The CHAIRMAN. I am going to ask you to be very cautious in this, because we happen to know definitely the time, the day, the method of the last contact with Greenblum. You are under oath so I want you to tell us when you last contacted him. That means either by telephone, through a third party, or personally. I am just giving you some advice.

Mr. EPSTEIN. Fair enough.

The CHAIRMAN. Either refuse to answer, or tell us exactly.

Mr. EPSTEIN. Since you know exactly, then all I have to do is tell you approximately.

The CHAIRMAN. All right.

Mr. EPSTEIN. When the FBI interrogated me, they thought it might be some valid thing. I told them it was warm. It turned out it was 1950. I looked up the records. And I saw him just prior to the announcement in the newspapers about Julius Rosenberg.

The CHAIRMAN. Did you have any contact, either directly or otherwise, with Greenblum in the last three weeks?

Mr. EPSTEIN. No.

The CHAIRMAN. Are you sure?

Mr. EPSTEIN. I am absolutely positive.

The CHAIRMAN. You have not talked to him at all?

Mr. EPSTEIN. No. I have mentioned to the wife that we do owe him a visit, as odd as it may be, but we never made it.

The CHAIRMAN. Did he not send a message to you, narrowing it down, within the last two weeks?

I am going to ask you this again.

Did you have any contact of any kind? By "contact," I want you to interpret that broadly, either that he got a message to you, that he phoned you, wrote you a letter, in any way got in contact with you. I will narrow this down, so that there is no question as far as memory is concerned. Was it within the last two and a half weeks?

Mr. EPSTEIN. Definitely no.

The CHAIRMAN. And no contact with him through his wife or anyone else?

Mr. EPSTEIN. Absolutely no.

The CHAIRMAN. Did you know that his mother had died a couple of days ago?

Mr. EPSTEIN. No, I did not.

Mr. JONES. And you say you were planning to repay a visit to the Greenblums?

Mr. EPSTEIN. Repay? I wouldn't say "repay." After all, the fellow has had two children since I saw him last. I haven't seen any of them.

The CHAIRMAN. Is it your testimony that to your knowledge Rosenberg never rode in the same car with Greenblum?

Mr. EPSTEIN. I would say that has to be correct, since Rosenberg got into this apartment. That means that Greenblum left the apartment. And if Greenblum left the apartment, he left it because he was no longer in Camden or Philadelphia.

The CHAIRMAN. In other words, you say that Greenblum took over Rosenberg's apartment? Or vice versa?

Mr. EPSTEIN. There was a specific apartment which I occupied, probably full time. That is, through the course of anyone being in this particular apartment, I was there at all times. And there were only three people in at any one time.

The CHAIRMAN. What was it? A three-room apartment? A two-room apartment?

Mr. EPSTEIN. With two bedrooms, I believe, and some sort of a living room.

The CHAIRMAN. And Rosenberg stayed in the apartment?

Mr. EPSTEIN. Now, I know Levitsky was in the apartment, and Al Walker was in the apartment, myself, Iz Hodes. It was myself,

Al Walker, Iz Hodes, Levitsky and Greenblum. That is five people that were there, only three of which were there at any one time.

The CHAIRMAN. You mean there was only room for three at any one time?

Mr. EPSTEIN. That is correct.

The CHAIRMAN. And when one moved out, someone else moved in?

Mr. EPSTEIN. No, when one moved out, he left the area. So that is why I can feel pretty sure in saying that Rosenberg and Greenblum could not have occupied the car at the same time.

The CHAIRMAN. Now, could Greenblum have lived in the apartment for a while?

Mr. EPSTEIN. Yes, he was there for a short time.

The CHAIRMAN. About how long?

Mr. EPSTEIN. Maybe only a two-month period.

The CHAIRMAN. Could it have been only two weeks?

Mr. EPSTEIN. He was there more than two weeks. Closer to two months. Let's put it that way.

The CHAIRMAN. Would the apartment house have——

Mr. EPSTEIN. Some record of it?

The CHAIRMAN. Some record of that?

Mr. EPSTEIN. I wouldn't know.

The CHAIRMAN. There were rent controls at that time, were there not?

Mr. EPSTEIN. I beg pardon?

The CHAIRMAN. There were rent controls at that time?

Mr. EPSTEIN. No. I don't think we had rent controls until after '41. This was in December '40 and early in '41.

The CHAIRMAN. In any event, the apartment house keeper should have a record of all of his tenants, I assume, so we should have a record of that. We will have no trouble in finding that information. But it is your testimony that Rosenberg lived in the apartment for about how many months?

Mr. EPSTEIN. I would say three; plus or minus two months maybe.

The CHAIRMAN. And while he was living there, you were living there. And who was the third one?

Mr. EPSTEIN. Al Walker was there at that particular time.

The CHAIRMAN. Al Walker, yourself, and Rosenberg lived there at the same time.

Mr. EPSTEIN. The reason I say that——

The CHAIRMAN. I am not asking you what your reason is. Time is short. I am just trying to get the facts.

Mr. EPSTEIN. Okay.

The CHAIRMAN. You can tell us about that later on. You can tell us positively, now, that you, Walker, Rosenberg lived together in the apartment approximately at the same time.

Mr. EPSTEIN. That is right, because the apartment ended with us together. We left together.

The CHAIRMAN. What was the address? Do you know the address? Do you know the name?

Mr. EPSTEIN. It was an apartment house area. It could have been Spruce Street. But they all sound alike.

The CHAIRMAN. How many years did you live there?

Mr. EPSTEIN. I think about five months, December to June, five or six months.

The CHAIRMAN. Do you know who the owner of the apartment was?

Mr. EPSTEIN. No. I can tell you that the woman was alone. Whether she had been married at any one time, I don't know. The only information I can add is that an older woman ran that apartment, and I don't know whether she lost her husband or was ever married at all.

The CHAIRMAN. Do you know what her name was?

Mr. EPSTEIN. No.

The CHAIRMAN. You do not know her name and do not have any idea where it was except that you think it was Spruce Street?

Mr. EPSTEIN. If necessary we might drive down there, and I probably might be able to find it.

The CHAIRMAN. I might say that is rather unusual. You do not seem to be of below average intelligence. I think any man in this room can tell you where he has been living over the past number of years.

Mr. EPSTEIN. Isn't this about thirteen or fourteen years ago?

The CHAIRMAN. What year was it?

Mr. EPSTEIN. I said 1940-41.

The CHAIRMAN. Now, did Greenblum live with you?

Mr. EPSTEIN. Yes.

The CHAIRMAN. How long did he live with you?

Mr. EPSTEIN. Well, I judge it to be about two months.

The CHAIRMAN. Who else was living with you while he was living with you?

Mr. EPSTEIN. Iz Hodes was there.

The CHAIRMAN. Pardon?

Mr. EPSTEIN. I think Iz Hodes was the other one.

The CHAIRMAN. And when Hodes left, who took Hodes' place?

Mr. EPSTEIN. Who actually replaced Hodes?

The CHAIRMAN. Yes,

Mr. EPSTEIN. Possibly Levitsky, but I can't say.

The CHAIRMAN. And when Greenblum left, who replaced him?

Mr. EPSTEIN. I think Rosenberg must have replaced him. I am not very clear on that.

The CHAIRMAN. Did you consider Rosenberg a Communist at that time?

Mr. EPSTEIN. I had no consideration of such a matter at all. I mean, I can't recall any possible incident that I would have antagonized him in that connection or anything in any way, shape or form.

Mr. COHN. Did you consider Mr. Levitsky to be a Communist?

Mr. EPSTEIN. No, I did not.

Mr. COHN. Mr. Epstein, we had better tell you something. You are under oath. You understand that. You are under penalty of perjury.

Mr. EPSTEIN. Yes.

Mr. COHN. We had Mr. Greenblum here too. He came in one day and he told us some things. Mr. Greenblum came back today and after thinking things over, he has told us everything. He has told us a long story. And as a result of that he has told everything con-

cerning Levitsky and Rosenberg and everything else and made it very clear that you knew very well that Levitsky was a Communist. Now, Mr. Greenblum assumed that you would be friendly and anxious to tell the truth. That is why we called you in without a subpoena. I just want to tell you this. You had better be completely truthful with this committee. We have had Levitsky in at length. We have had Greenblum in twice, and he has been cooperative with the committee now. We have the whole picture and the whole story. There is only one way you can get in any difficulty, and that is by not telling the truth.

Mr. EPSTEIN. That is fair enough.

The CHAIRMAN. At this point I may say, Mr. Epstein, that it isn't my job here to decide who is lying. At this point I can tell you that either you are perjuring yourself or Mr. Greenblum perjured himself after he broke down and said, "I am going to tell everything."

Mr. EPSTEIN. Now, wait a minute. In other words, there is a conflict between anything I have told so far and somebody else's story?

The CHAIRMAN. A big conflict.

Mr. COHN. It is your sworn testimony that you never believed that Levitsky was a Communist?

The CHAIRMAN. While you are thinking that over, did not Levitsky actually tell you, in the presence of Greenblum, a number of times that he was a Communist, and he made no secret of that when he lived with you and was your roommate, that he very freely told you he was a member of the Communist party, said he believed in it, and created the impression he was completely honest about it? Did he not do it frequently, not only with you alone but in the presence of Greenblum?

Mr. EPSTEIN. I don't believe he ever made such a statement that I ever heard.

Mr. COHN. Did you believe that Levitsky was a Communist?

Mr. EPSTEIN. I didn't. I didn't believe he was.

Mr. COHN. You didn't think he was?

Mr. EPSTEIN. No.

Mr. COHN. He never said anything to lead you to believe that he was a Communist?

Mr. EPSTEIN. He may have said a few things, but I didn't believe that that made him a Communist. Let's put it that way.

Mr. COHN. What were the few things he said?

Mr. EPSTEIN. I couldn't possibly think of any particular incident. Maybe I can think up a few. I could say that if you wanted to make some interpretations of some of his remarks you might say he was Communistic. But you asked me did I think he was and I said "no." And I never heard him say anything definitely. That is, he never made a statement that I heard that said, "Yes, I am a Communist."

The CHAIRMAN. Wait, now. Let us not be childish about this. I am going to ask you this again, so that there can be no defense later on in some subsequent legal proceeding that you did not understand this.

We are not asking you whether he said, "Yes, I am a Communist." We are not asking for any specific language. The question is: Did he, in his conversations with you, make it clear to any normal person—and you are not dumb at all—that he was a Communist? I do not mean necessarily a dues-paying member, but a

Communist. You know whether he did or not. You roomed with him. You lived with him.

Mr. EPSTEIN. Yes, and I saw him a number of times after that.

The CHAIRMAN. Now, will you think that over and tell us? Again, for your protection, so that you can not claim later that you were trapped into something by any clever cross examination, we have the sworn testimony now of someone who claims to be a friend of yours that both you and he knew without any doubt that Levitsky was a Communist.

Mr. EPSTEIN. You would have to define exactly what you mean by knowing that he is or was a Communist.

The CHAIRMAN. What is your idea of a Communist? We will take your definition.

Mr. EPSTEIN. One who is definitely a member of the Communist party at this day and age.

The CHAIRMAN. What do you mean by a "definite member"?

Mr. EPSTEIN. I don't know. I guess they have some cards or some signature, or the man actually comes into some meeting. I don't know.

The CHAIRMAN. Well, let us broaden that a bit, then. We will not refer to any card. Let us define a man who is sympathetic to the Communist cause, feels friendly toward it. That is a pretty broad definition.

Mr. EPSTEIN. That is quite broad.

The CHAIRMAN. Well, we will use that broad definition. Using that definition, did you not know he was a Communist?

Mr. EPSTEIN. I still don't see how I can say "yes," just because there were some remarks.

The CHAIRMAN. Did you think he was, or was not?

Mr. EPSTEIN. Let us say that I do not think anyone is a Communist unless I know that he is.

The CHAIRMAN. Well, did you think he was? If I am living with you, and if I am talking politics, you will think I am a Republican, you will think I am a Democrat, you will think I am a Socialist. You will have your own opinion. You need not see my registration slip.

The question is: Did you think this man was a Communist?

Mr. EPSTEIN. I think the only way I could answer a question like that is by saying that I don't think a man is a Communist unless I know that he is.

The CHAIRMAN. Did you think that he was a Communist?

Mr. EPSTEIN. No, I don't think so.

The CHAIRMAN. You did not think so?

Mr. EPSTEIN. No.

The CHAIRMAN. Nothing led you to believe he was?

Mr. EPSTEIN. No.

The CHAIRMAN. When did you first know he was a Communist?

Mr. EPSTEIN. I didn't know that he was.

The CHAIRMAN. You never have learned it?

Mr. EPSTEIN. No.

The CHAIRMAN. You never have had any reason to believe that he was?

Mr. EPSTEIN. That is right.

The CHAIRMAN. Did you think that your roommate, Rosenberg, was a Communist?

Mr. EPSTEIN. No.

The CHAIRMAN. Did you at any time know he was engaged in espionage?

Mr. EPSTEIN. No.

The CHAIRMAN. You had no reason to believe that he was?

Mr. EPSTEIN. That is right.

The CHAIRMAN. When did you first learn that Rosenberg was an espionage agent?

Mr. EPSTEIN. I was on vacation up in the Adirondacks, and I bumped into someone from the city who said, "What do you know? Did you read about it in the press?"

I said, "No, we don't read papers up here." So we got a paper and read it.

The CHAIRMAN. You mean it was only after Rosenberg was arrested?

Mr. EPSTEIN. That is correct.

The CHAIRMAN. All right. Did you ever remove any classified material from the signal laboratory?

Mr. EPSTEIN. Did I?

The CHAIRMAN. Yes.

Mr. EPSTEIN. Of course not.

The CHAIRMAN. You have never removed any?

Mr. EPSTEIN. No.

The CHAIRMAN. What clearance did you have? Secret clearance?

Mr. EPSTEIN. When? Now?

The CHAIRMAN. When you were at the laboratory, what clearance did you have?

Mr. EPSTEIN. Well, you used the word "laboratory." We were never at the laboratory.

The CHAIRMAN. When you were in the Signal Corps?

Mr. EPSTEIN. Yes.

The CHAIRMAN. You had secret clearance?

Mr. EPSTEIN. I don't know what clearance I had when I was with the Signal Corps.

The CHAIRMAN. Do you know what kind of a pass you had?

Mr. EPSTEIN. We had a pass that allowed us to get into the manufacturers' plants.

The CHAIRMAN. How many cameras did you have at the apartment?

Mr. EPSTEIN. Cem Mogavero, I believe, had the only camera.

The CHAIRMAN. The only camera? Only one camera?

Mr. EPSTEIN. That is as far as I know. At least that is the camera that we used to take some pictures, I remember.

The CHAIRMAN. How about Rosenberg?

Mr. EPSTEIN. I don't know.

The CHAIRMAN. You do not know that he had a camera?

Mr. EPSTEIN. I don't know.

The CHAIRMAN. Did you ever see a Minox?

Mr. EPSTEIN. I beg pardon?

The CHAIRMAN. Did you ever see a Minox camera?

Mr. EPSTEIN. No. I am not familiar with the camera, even.

The CHAIRMAN. Well, if I described that as a camera about as large as my finger, smaller than that, did you ever see a camera like that?

Mr. EPSTEIN. No, I never did.

The CHAIRMAN. And you never had any reason to believe that either Rosenberg or Greenblum or Levitsky or any of them were members of the Communist party?

Mr. EPSTEIN. That is correct.

The CHAIRMAN. You never attended Communist meetings?

Mr. EPSTEIN. I? No.

The CHAIRMAN. Were you ever solicited to attend a meeting of the Communist party or the Young Communist League?

Mr. EPSTEIN. No.

The CHAIRMAN. Did you ever pay any money to the Communist party?

Mr. EPSTEIN. No.

The CHAIRMAN. Did you ever see any classified material around the apartment?

Mr. EPSTEIN. There was no such thing as classified material in that apartment.

The CHAIRMAN. I just asked you: Did you ever see any classified material around the apartment?

Mr. EPSTEIN. No.

The CHAIRMAN. And since then, how many of your roommates did you discover were members of the Communist party?

Mr. EPSTEIN. Evidently only one.

The CHAIRMAN. That is the only one you would reasonably believe was a member of the Communist party, or a Communist?

Mr. EPSTEIN. Yes.

Mr. COHN. Do you think Rosenberg was guilty as charged?

Mr. EPSTEIN. I don't know what to believe, really.

Mr. COHN. Are you satisfied he was guilty as charged?

Mr. EPSTEIN. I am reasonably satisfied, but the man said he was not guilty when he died. That leaves me some doubt as to something or other.

Mr. COHN. That leaves you some doubt; is that right?

Mr. EPSTEIN. Yes.

Mr. COHN. Do you know a man by the name of William Perl?

Mr. EPSTEIN. No.

Mr. COHN. William Mutterperl?

Mr. EPSTEIN. No.

The CHAIRMAN. Did you room with Zuckerman?

Mr. EPSTEIN. No, I don't recognize that name.

The CHAIRMAN. You didn't know a Mr. Zuckerman?

Mr. EPSTEIN. No, I don't recognize that name.

The CHAIRMAN. Do you know Mr. Coleman?

Mr. EPSTEIN. No.

The CHAIRMAN. You never knew Aaron Coleman?

Mr. EPSTEIN. I think someone mentioned that he is one of the fellows who was suspended, I believe.

The CHAIRMAN. The question is: Did you know him personally?

Mr. EPSTEIN. No. I never heard the name before.

Mr. COHN. I just want to get the question very clearly on the record: Your sworn testimony is that you did not believe Levitsky

was a Communist and you did not believe Rosenberg was a Communist at any time.

Mr. EPSTEIN. With the modification that I believe he was, because I know that he left the Signal Corps by their request, due to being a Communist.

Mr. COHN. This was Rosenberg?

Mr. EPSTEIN. Rosenberg.

Mr. COHN. But as far as Levitsky is concerned, you have never believed him to be a Communist?

Mr. EPSTEIN. That is right.

The CHAIRMAN. Did you know Vivian Glassman?

Mr. EPSTEIN. Come again?

The CHAIRMAN. Did you know Vivian Glassman?

Mr. EPSTEIN. I guess not. Is that a man?

The CHAIRMAN. No, that is a woman.

Mr. EPSTEIN. We have a Glassman in our neighborhood. Not Vivian, though.

Mr. JONES. Is her name Eleanor?

Mr. EPSTEIN. No.

Mr. RAINVILLE. Do you know Vivian Pataki?

Mr. EPSTEIN. No.

Mr. RAINVILLE. Eleanor Hutnek?

Mr. EPSTEIN. No.

The CHAIRMAN. You may step down. I again want to tell you, just so that you cannot claim ignorance of the fact, at some future legal proceeding, and I want to make it very clear to you that your evidence is in direct contradiction to other evidence we have had. It is not my function to decide who is lying, or who is perjuring himself.

Your evidence will be given to the Justice Department with the request that there be an indictment for perjury either of you or of the other individuals who have testified counter to what you have testified to.

If you want to go home and think this over and come back and correct any of your testimony, we will consider allowing you to do it.

Mr. EPSTEIN. It is very simple. I have nothing to correct.

The CHAIRMAN. All right. You may leave.

Mr. COHN. You were asked whether you, yourself, were ever a Communist?

Mr. EPSTEIN. I think I was; I don't recall. You mean in this testimony? I think you asked me.

Mr. COHN. Were you ever a Communist?

Mr. EPSTEIN. No.

Mr. COHN. In any way, manner, shape, or form?

Mr. EPSTEIN. Not even the remotest.

The CHAIRMAN. Did you sign any Communist petitions?

Mr. EPSTEIN. None.

The CHAIRMAN. You may leave.

Mr. COHN. Can we get your full name, please?

STATEMENT OF LEO M. MILLER

Mr. MILLER. Leo M. Miller.

Mr. COHN. Where are you employed, Mr. Miller?

Mr. MILLER. At the Evans Signal Laboratory.

Mr. COHN. For how long a period of time have you been there?

Mr. MILLER. I have been there since January of 1950, January 22nd, I believe.

Mr. COHN. Where were you before that?

Mr. MILLER. I was employed at the Watson Laboratories, part of the air materiel command of the air force.

Mr. COHN. Now, what clearance do you have now?

Mr. MILLER. At the present time, I have interim top secret, I believe. It is either interim or final; I am not sure.

Mr. COHN. Do you know a man by the name of Joseph Levitsky?

Mr. MILLER. Joe Levitsky? Yes.

Mr. COHN. I see. When did you first meet him?

Mr. MILLER. Joe Levitsky worked for the Signal Corps Inspection Agency. I believe I first met him either in 1941 or '42, around that time. I don't remember precisely the time. I was working at this place, too, incidentally. There were quite a few engineers working there.

Mr. COHN. And how well did you get to know Levitsky?

Mr. MILLER. Well, let's see. Not well enough to follow him, in a sense, when he left that job, or when I left that job. I never heard of him since then. When we by chance happened to run into each other, perhaps on the same job—what we were, incidentally, was Signal Corps inspectors. As a result, I might wind up in a plant, and somebody would be there.

Mr. COHN. Did you ever see him socially?

Mr. MILLER. No.

Mr. COHN. You were never in anyone's home when he was present?

Mr. MILLER. To the best of my knowledge, I can't ever remember being in someone's home where he was.

Mr. COHN. Do you know a man by the name of Carl Greenblum?

Mr. MILLER. Yes.

Mr. COHN. How well do you know him?

Mr. MILLER. Somewhat better than I know Levitsky.

Mr. COHN. Have you ever been at Greenblum's home?

Mr. MILLER. As far as I know, I never have been to Greenblum's home, so I certainly didn't see him there. I know Carl very well, because we went out on a common job together. We stayed together in Kansas City for about six months.

Mr. COHN. Were you ever with Levitsky in the company of Greenblum? Were the three of you ever together?

Mr. MILLER. I imagine so. I don't know for sure.

Mr. COHN. Did you know that Levitsky was a Communist?

Mr. MILLER. No, I didn't.

Mr. COHN. Did you ever suspect that?

Mr. MILLER. I didn't.

Mr. COHN. He never said anything that put you on notice in any way?

Mr. MILLER. No.

Mr. COHN. Did you know a man by the name of Marcel Ullmann?

Mr. MILLER. He worked at the Watson Laboratories where I worked.

Mr. COHN. Had you ever met him?

Mr. MILLER. I have passed him in the hallway and knew who he was, but I never met him.

Mr. COHN. What college are you a graduate of?

Mr. MILLER. Cooper Union.

Mr. COHN. When did you graduate from Cooper Union?

Mr. MILLER. 1940.

Mr. COHN. Did you know Ullmann at Cooper Union?

Mr. MILLER. I didn't even know he was a Cooper Union man.

Mr. COHN. And you don't recall him from the Watson Laboratory, other than knowing he was around?

Mr. MILLER. That is right. I never heard of him. In a sense, I knew he existed as Marcel Ullmann who took care of foreign equipment at the laboratories. I first became aware of him when I heard he was fired.

Mr. COHN. Do you know Bob Martin?

Mr. MILLER. Yes.

Mr. COHN. Did you know him well?

Mr. MILLER. Quite well in a sense. I have attended social gatherings where Bob was present. I had some business with him at Watson Laboratories.

Mr. COHN. Did you ever belong to the United Public Workers of America?

Mr. MILLER. No, I never did.

Mr. COHN. Where did you work prior to going with Watson Laboratories?

Mr. MILLER. I worked for the Plant Engineering Agency in Philadelphia for approximately nine months. That was in about 1944.

Mr. COHN. Now, were you ever asked to go to a Communist meeting?

Mr. MILLER. No.

Mr. COHN. You were never asked to go to a Communist meeting?

Mr. MILLER. No.

Mr. COHN. Were you ever asked to go to a Communist gathering of any kind?

Mr. MILLER. No.

Mr. COHN. Did you ever attend one?

Mr. MILLER. No, I did not.

Mr. COHN. Were you ever asked to join the Communist party?

Mr. MILLER. No.

Mr. COHN. Did you ever know anyone whom you believed to be a Communist?

Mr. MILLER. I don't know of anyone that I know that I had thought was a Communist.

Mr. COHN. You can say that without any reservation whatsoever, that there is no one you have known that you thought was a Communist?

Mr. MILLER. That is right.

Mr. COHN. Or who you now think was a Communist or is a Communist?

Mr. MILLER. Well, as a Signal Corps inspector, I had seen Julius Rosenberg, so I might say that I now know he was a Communist.

Mr. COHN. Did you know Rosenberg?

Mr. MILLER. Rosenberg, for one period of time, was an assistant of mine in the plant. He was sent in as one of the engineers in the

plant. I had about forty people there. Rosenberg was one of them for some months.

Mr. COHN. Where was this?

Mr. MILLER. This was at the Emerson Radio Company.

Mr. COHN. Now, did you know whether or not Rosenberg was stealing any classified information or any material from Emerson Electric?

Mr. MILLER. I certainly did not know of any such thing.

Mr. COHN. Were there any such things as proximity fuses around there?

Mr. MILLER. Well, I was the inspector in charge, and one day I was told to furnish two inspectors for a special job. I furnished these two inspectors, and I believed they worked on the proximity fuse. I didn't, myself.

Mr. COHN. Who were those two inspectors?

Mr. MILLER. Frankly, I don't even recall their names. They were very low grade inspectors. All they did was to go through routine operations under the direction of an engineer from the agency procuring the fuses.

Mr. COHN. How big is the proximity fuse?

Mr. MILLER. I happen to know a bit about it, incidentally, and I will tell you why.

Mr. COHN. You are way ahead of me.

Mr. MILLER. I happened to be in charge of the jamming section, the Countermeasures Branch, and we have activities in relation to that. I can't tell you any more than that. I don't know all types, but I would say it is approximately about that high off the table [indicating], perhaps about so, maybe five inches high, and they would be of different sizes, depending upon the calibers of shells they go into.

Mr. COHN. About five inches high, you say?

Mr. MILLER. Yes, about that.

Mr. COHN. In other words, it would be possible for somebody to put it in a brief case, or something like that?

Mr. MILLER. I would certainly imagine so.

Mr. COHN. Now, do you know if Rosenberg had access to any proximity fuse?

Mr. MILLER. During the time that I was in the plant, Rosenberg never had any clearance for that project, and he would never have had any access during the time I was there.

Incidentally, I was transferred out of the plant, and I understand Rosenberg stayed there afterwards.

Mr. COHN. About when was this, did you say?

Mr. MILLER. Let me think about it now. Around 1943.

Mr. COHN. Let me ask you this: Is there anyone up at Monmouth now who was in this group of forty along with Rosenberg?

Mr. MILLER. No, I don't think there is anybody there. Most of the people, incidentally, were what one would call low level talent. They were people who were simply given jobs along the production line and told to do a routine operation on just a few pieces of equipment.

Mr. COHN. Was there anybody at Emerson who is at Monmouth?

Mr. MILLER. I don't know of anybody who is at Monmouth from there.

Mr. COHN. Anybody who was at Monmouth?

Mr. MILLER. No.

Mr. COHN. Did you have any reason to believe Rosenberg was a Communist?

Mr. MILLER. No, I didn't.

Mr. COHN. When he was under your supervision?

Mr. MILLER. No.

Mr. COHN. As a matter of fact, he was suspended back in '45.

Mr. MILLER. In '45? That was after the time that I had—

In '45 I had left the inspection agency by approximately a year and a half, and I didn't know anything about it.

Mr. COHN. You say you do recall one occasion on which there was work being done on these proximity fuses?

Mr. MILLER. The only thing I recall was assigning two people to the job.

Mr. COHN. And you do not recall who they were?

Mr. MILLER. No. As a matter of fact, these two people—I think they were both girls, if I remember correctly—had absolutely no technical background. Their only function was to perform in a very routine fashion certain very specified motions and tests, which I am sure they didn't have the vaguest notion about. I don't think they knew what they were doing.

Mr. COHN. Did you know Vivian Glassman?

Mr. MILLER. No, I have never heard the name before.

Mr. COHN. Rosenberg might have had access to the proximity fuse about which you did not know? Is that right?

Mr. MILLER. I can't believe during the time I was there he had access to it, because the project was extremely well guarded, and I can't understand how he could have been allowed entrance into the place, or anyone for that matter. At the time, incidentally, I did not know what a proximity fuse was myself. I learned that since.

Mr. COHN. Did you see Rosenberg again after that?

Mr. MILLER. I never saw Rosenberg after that.

Just a moment. Let me think about that for a minute.

After the time that I left Emerson, I was temporarily inspector in charge in another plant, and I believe I recall a call from Rosenberg asking me for some technical advice on a job that he had. At that time he, I understand, was no longer at Emerson, too. I am not absolutely certain of this. I am trying to recall it, and I wanted to be accurate.

Mr. COHN. When was that?

Mr. MILLER. I think it must have been in the latter part of '43 or the very early part of '44. I remember, strangely enough, the technical question, but I don't remember the date.

Mr. COHN. Did you know Morton Sobell?

Mr. MILLER. No, I never did. I never saw Sobell.

Mr. COHN. Is there anyone in addition to Rosenberg you can tell us about that you knew or later found out to be a Communist?

Mr. MILLER. I can't think of anyone.

Mr. JONES. How well do you know William Perl?

Mr. MILLER. I never heard of William Perl other than in the newspaper.

Mr. JONES. You said you lived in Kansas City for six months?

Mr. MILLER. With Carl Greenblum.

Mr. JONES. What were you doing out there?

Mr. MILLER. We were both inspectors for the Newark Signal Corps Inspection Agency.

Mr. JONES. What year was that?

Mr. MILLER. That must have been in the latter part of '41 or the early part of '42.

Mr. JONES. Who else lived with you out there then?

Mr. MILLER. Just the two of us. We were the only two people assigned to this particular job.

Mr. JONES. And when you returned from Kansas City, where did you go?

Mr. MILLER. I went off to other jobs, very numerous ones, I don't remember which, precisely. And he went other ways. He went to other jobs. You see, the kind of jobs we had might last anywhere from a day to a month to six months. Perhaps I might say in a place as long as a year. There were so many job assignments you would keep hopping around. You would get to see a lot of people and not see them again.

Mr. JONES. Do you know Aaron Coleman?

Mr. MILLER. Yes, I know Aaron Coleman,

Mr. JONES. How well do you know Aaron Coleman?

Mr. MILLER. Well, let's say the date is indistinct because I knew of Aaron Coleman much before the time I met him. In my job at Watson Laboratories, I was a radar engineer. Aaron Coleman conceived a particular project dealing with radar which was well known, in a sense, in the field. The fact that this project was at the Signal Corps, and they were coordinating meetings occasionally, and I had heard that Aaron Coleman was say, the father of this thing. And when I went to work for the Signal Corps, I met Aaron Coleman at people's homes, various little gatherings around the area, and I saw Aaron Coleman there.

Mr. JONES. What homes did you say?

Mr. MILLER. What homes? I didn't say. I met him at Jerome Corwin's about twice, I would say.

Mr. JONES. Did Corwin ever introduce you to a Markus Epstein?

Mr. MILLER. Corwin never introduced me to anybody.

Mr. JONES. Did you ever hear of Markus Epstein?

Mr. MILLER. No. I never heard of Markus Epstein. When I met Coleman it was always due to the fact that he happened to be invited to some place I happened to be invited to.

Mr. JONES. How about Benjamin Zuckerman?

Mr. MILLER. Benjamin Zuckerman I know quite well.

Mr. COHN. Where did you meet him?

Mr. MILLER. He was my assistant at Watson Laboratories. I started in Watson Laboratories, as I mentioned, in 1945, Benjamin Zuckerman, I think, came in there in about '46 or '47; '46 possibly.

Mr. COHN. When did you see him last?

Mr. MILLER. I haven't seen him since I testified for him at his hearing, to the effect that he was no Communist as far as I knew.

Mr. COHN. When did you testify at this loyalty hearing?

Mr. MILLER. It must have been well over a year ago. It was in New York City. I don't know. You possibly would know the date better than I do, by some record or other.

Mr. COHN. I have nothing further. We will let you know if we want you in again. We probably will not. Thanks very much for coming in.

[Whereupon, at 5:17 p.m., a recess was taken until 10:30 a.m., Saturday, October 17, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Following this hearing, Senator McCarthy told reporters that a witness had been informed that he had been heard to remark, "I was in the Rosenberg spy ring, and but for the grace of God there go I," after which he had taken the Fifth Amendment. The *Chicago Tribune* quoted the senator as saying, "Obviously, this witness took the protection of the 5th amendment only after he learned that we had evidence of his espionage acts. There is a clear case of contempt against him, which will be submitted to the Senate." No contempt charges were filed against the witness, Joseph Levitsky (1913–1978), who later testified in a public hearing on November 24, 1953. Alfred C. Walker and Louis Antell (1912–1995) did not appear in public session.]

SATURDAY, OCTOBER 17, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:30 a.m., pursuant to recess, in room 29 of the Federal Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, research assistant to Senator Potter.

Present also: John Adams, counselor to the secretary of the Department of the Army.

The CHAIRMAN. Mr. Walker, will you raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WALKER. I do.

The CHAIRMAN. Mr. Walker, will you give your full name to the reporter?

TESTIMONY OF ALFRED C. WALKER

Mr. WALKER. Alfred C. Walker.

The CHAIRMAN. And over what period of time did you work for the Signal Corps?

Mr. WALKER. I believe it was July of 1944 to, I think, July of '46. No, I am wrong. July of 1940 to about July of 1944.

The CHAIRMAN. '40 to '44, about.

Mr. WALKER. Yes.

The CHAIRMAN. Then did you quit, or were you discharged?

Mr. WALKER. I quit to go into the navy.

The CHAIRMAN. And in what branch of the navy did you serve?

Mr. WALKER. Well, I was an airborne radio-radar officer.

The CHAIRMAN. In what type planes?

Mr. WALKER. Well, I wasn't in any plane. I was assigned to bases. A good bit of the time I was in the navy was taken up with training. That was about a year. I was assigned to Norfolk, a training squadron there, and I went to Puerto Rico for a month and came back to the Naval Research Laboratories, and I was there for about seven months and then discharged.

The CHAIRMAN. Working in radar all that time?

Mr. WALKER. No, I wasn't working in radar during that time. As a matter of fact, I got training in radio and radar, and I taught it, but in the research lab I wrote patents for a while.

The CHAIRMAN. Anyway, you worked from '40 to '44 in the Signal Corps Laboratory, went into the navy, came back, and did you say you worked in the Signal Corps when you came back?

Mr. WALKER. No, after I got out of the navy I worked for several firms. I worked, first of all, for Republic Aviation, as an electrical engineer. From there I went to either Hillyer Engineering Company, or Hillyer Instrument Company, in New York City.

The CHAIRMAN. Where are you working as of now?

Mr. WALKER. I have my own company.

The CHAIRMAN. What is the name of that company?

Mr. WALKER. Control Electronics Company, Incorporated,

The CHAIRMAN. Do you do work for the government now?

Mr. WALKER. Yes.

The CHAIRMAN. Classified work?

Mr. WALKER. Yes.

The CHAIRMAN. What classification? How high? As high as secret?

Mr. WALKER. No. Our facilities are only cleared for confidential. I have a secret clearance.

The CHAIRMAN. And where did you go to school?

Mr. WALKER. At Pratt Institute.

The CHAIRMAN. You graduated when?

Mr. WALKER. In 1940.

The CHAIRMAN. Will you tell us of any connections you had with Julius Rosenberg at any time?

Mr. WALKER. Yes. I lived in an apartment with him and a couple of other fellows in Philadelphia.

The CHAIRMAN. Who were the other fellows?

Mr. WALKER. There was Markus Epstein, Joe Levitsky, Iz Hodes.

The CHAIRMAN. Iz Hodes did you say?

Mr. WALKER. Yes. And there were other people. As they would get transferred, there would be some others that would come and go. There was a fellow whose name was Grandizio. And did I say Joe Levitsky?

The CHAIRMAN. You were working where? In Camden at that time?

Mr. WALKER. Yes. I was assigned to RCA in Camden.

The CHAIRMAN. And was Rosenberg working at Camden also?

Mr. WALKER. Yes.

The CHAIRMAN. Did you have a car at that time?

Mr. WALKER. I had a car. I got it in March of '41. I had it some time during that period, yes.

The CHAIRMAN. There was gas rationing at that time, of course, so I assume you had the usual car pool going to work and coming from work?

Mr. WALKER. Yes.

The CHAIRMAN. Who was in your car pool?

Mr. WALKER. Well, the people previously mentioned in the apartment, and I think a fellow named Mogavero would meet us for breakfast.

The CHAIRMAN. How do you spell that?

Mr. WALKER. M-o-g-something like that a-v-e-r-o.

The CHAIRMAN. What was his first name?

Mr. WALKER. I think an abbreviation of it is "Cem." That is all I seem to remember.

The CHAIRMAN. I think we got his name yesterday. Was Rosenberg in the car pool?

Mr. WALKER. I can't specifically remember actually driving back and forth to work with him. The only remembrance I have is that usually we used Epstein's car.

The CHAIRMAN. And you do not recall whether Rosenberg rode to work or not?

Mr. WALKER. No. I have thought about that. I can't recall that definitely. He undoubtedly did on occasions.

The CHAIRMAN. Did Carl Greenblum ride back and forth?

Mr. WALKER. Well, I believe so.

The CHAIRMAN. Did Greenblum room in the house while you were there?

Mr. WALKER. Yes.

The CHAIRMAN. And were Rosenberg and Greenblum ever living in the apartment at the same time?

Mr. WALKER. Yes. As I remember, yes.

The CHAIRMAN. You would not know how long, I suppose?

Mr. WALKER. Well, I can only estimate that I was there something in the neighborhood of six months or less. And I think they were all there before I came, all that group.

The CHAIRMAN. How many did the apartment accommodate? How many people?

Mr. WALKER. There were five, as I remember.

The CHAIRMAN. What was the address of the apartment?

Mr. WALKER. Well, I remember it being something like Spruce near 21st Street.

The CHAIRMAN. You would not remember the address at all?

Mr. WALKER. No, I wouldn't.

The CHAIRMAN. How large an apartment? Could you describe it?

Mr. WALKER. Well, it had several floors. I know they had some roomers below us, on the floor below us. I would think perhaps three floors.

The CHAIRMAN. Do you know the name of the person who owned the apartment?

Mr. WALKER. No, I do not. I know the rent was paid to a woman, but that is all.

The CHAIRMAN. Have you since then learned that any of the men who roomed in that apartment with you were members of the Communist party?

Mr. WALKER. No, with the exception of Rosenberg.

The CHAIRMAN. Pardon?

Mr. WALKER. I say, with the exception of Rosenberg.

The CHAIRMAN. Did you know Rosenberg was a Communist at that time?

Mr. WALKER. No, I did not.

The CHAIRMAN. Did he ever discuss communism?

Mr. WALKER. No. I have no recollection of a discussion of communism.

The CHAIRMAN. Did you know Levitsky quite well?

Mr. WALKER. Just from living there, and then after that meeting him occasionally.

The CHAIRMAN. When have you last seen Levitsky?

Mr. WALKER. I think it was about three years ago, at the annual convention of the Institute of Radio Engineers.

The CHAIRMAN. Are you married now?

Mr. WALKER. Yes, I am.

The CHAIRMAN. Do you have a family?

Mr. WALKER. Two children.

The CHAIRMAN. When was Levitsky at your home last?

Mr. WALKER. He has never been at my home.

The CHAIRMAN. Did you know Sobell?

Mr. WALKER. No, I do not, or did not.

The CHAIRMAN. When did you last see Rosenberg?

Mr. WALKER. He was inspector in charge at Jefferson Travis in, I believe, '43; and I was assigned to take the job over from him.

And during that time, he was there about two weeks, one or two weeks, at the same time I was. And then after that he went to Emerson, and I think I saw him once there. It was on business.

The CHAIRMAN. What was the last time, the year, about?

Mr. WALKER. I think it was about '43.

The CHAIRMAN. Did you know he was engaging in espionage?

Mr. WALKER. No, I did not.

The CHAIRMAN. You say you never knew that Joe Levitsky was a Communist?

Mr. WALKER. No.

The CHAIRMAN. Never discussed communism with him?

Mr. WALKER. No.

The CHAIRMAN. You were a pretty close friend of Levitsky's, were you?

Mr. WALKER. Not particularly. I got to know all these fellows fairly well. I got to know Joe and Mark probably better than the others there.

The CHAIRMAN. Did you know Mrs. Levitsky?

Mr. WALKER. Yes. After Joe got married, I think I was over to his place once or twice.

The CHAIRMAN. Has he been to your home?

Mr. WALKER. No.

The CHAIRMAN. And you say you never had any reason to think he was a Communist?

Mr. WALKER. No, no reason to think that.

The CHAIRMAN. I may say that is in direct conflict with other evidence we have received. The other evidence is to the effect that you and the other people in the apartment knew he was a Communist,

that he discussed his communism repeatedly, and never covered up the fact that he was a Communist.

Mr. WALKER. No. There were conversations, not particularly about communism.

The CHAIRMAN. Your testimony is that you never knew Rosenberg was a Communist, never had any reason to believe that he was?

Mr. WALKER. That is correct.

The CHAIRMAN. And you said you lived with him how long? About six months?

Mr. WALKER. Six months or less, yes.

The CHAIRMAN. And did he ride in your car in this car pool, or in somebody else's car?

Mr. WALKER. Usually I believe Epstein's car was used. Mine was used some of the time. It may be that he rode in either of them. I don't particularly remember his going back and forth to work with us.

The CHAIRMAN. Did you know Epstein was a Communist?

Mr. WALKER. I have no knowledge of that.

The CHAIRMAN. In other words, you had no reason to believe that any of these individuals you roomed with were Communists?

Mr. WALKER. No. I mean, none of them ever stated that they were. None of them ever advocated it. There were conversations involving Levitsky and Rosenberg. I know, for instance, that they apparently were pretty familiar with the economic set-up in Russia. There was never any advocacy of a Communistic government.

The CHAIRMAN. I think for your protection, so that you will know, the testimony we have already taken under oath has been that you and the other people who were rooming with Levitsky all had every reason to know he was a Communist, that he never denied it, that he discussed it freely, and that you all knew he was a Communist. That would indicate that somebody here is not telling the truth. I am telling you this for your protection. Your testimony is that you never had any reason to believe that Levitsky was a Communist?

Mr. WALKER. I never had any—

The CHAIRMAN. Did you think he was a Communist?

Mr. WALKER. No. I never thought that he was a Communist. I thought that he was interested in all the social—

The CHAIRMAN. That is all right. I just asked you if you thought he was a Communist, and your answer is "no."

Mr. WALKER. If I thought at the time he was a Communist, I wouldn't have associated with him.

The CHAIRMAN. May I say we have had a sizable number of the men in here who were living with Rosenberg, living with Levitsky, at the time they were engaged in espionage, at the time they were trying to recruit espionage agents. You all were handling classified material. And we have the evidence to show that this entire group living together knew about the Communist activities of these men. I may say, just so you will know how to govern your actions, in case you intend to get a lawyer, I intend, of course, to submit all this testimony to the attorney general with the recommendation to try to find out who is lying and submit it to the grand jury for indictments. There is no reason why we should have to bring in the

associates of Rosenberg and Levitsky and try and pull the truth out of them like you would pull teeth. I am not saying you are not telling the truth. I don't know. I know either you are not telling the truth, or the other witnesses are not. It is not up to me to decide who is lying. I will let the attorney general conduct an investigation and let the grand jury do it.

I may say it is extremely unusual to find a man of your apparent mentality—you seem to be certainly average, if not above average, in intelligence—would live with espionage agents, live with Communists, have a car pool with them, and have no idea at all that they were Communists. That is not up to me to make a determination on, however.

If you want to, before we excuse you from the stand, refresh your recollection and tell us anything about your association with Rosenberg further, we would be glad to hear it.

Mr. WALKER. I had no association with Rosenberg.

The CHAIRMAN. Or Levitsky. Or your knowledge of them. You know that we are trying to investigate the Communists and the espionage agents in the Signal Corps. You lived with part of the Rosenberg spy ring at the time they were operating. If you have any information that you want to give us, good. If not, I am through asking questions.

Mr. WALKER. Well, I would like to clarify it. At the time I definitely did not think that either of the men were Communists. I know that there were conversations concerning Russia and the social situation there, the government there, but there was no admission or suggestion by either of the gentlemen that he was a Communist.

The CHAIRMAN. Did you ever go to a Communist meeting?

Mr. WALKER. No. I never went to one.

The CHAIRMAN. Did you ever go to a meeting of the Young Communist League?

Mr. WALKER. No.

The CHAIRMAN. Did you ever join the Communist party?

Mr. WALKER. No.

The CHAIRMAN. Did you ever contribute any money to the Communist party?

Mr. WALKER. No.

The CHAIRMAN. Did you ever belong to any organizations which were then or have since been listed by the attorney general as fronts for the Communist party?

Mr. WALKER. No.

The CHAIRMAN. Did you ever know anyone, or do you now know anyone, in the Signal Corps or any other branch of the government, who you have any reason to believe is or was a Communist?

Mr. WALKER. No.

Mr. COHN. When did you see Levitsky last?

Mr. WALKER. I believe it was about three years ago, in a meeting of the Institute of Radio Engineers; that is to say, their convention in the Grand Central Palace, their exhibit.

Mr. COHN. Did you see Morton Sobell there?

Mr. WALKER. No.

Mr. COHN. Did you ever go out socially with Levitsky?

Mr. WALKER. When I was transferred back to New York, on one or two occasions, I think some of the same group in the Signal Corps would go out to dinner once or twice.

Mr. COHN. When was this, exactly? Fix it as best you can.

Mr. WALKER. Well, I was in the New York area in—I was there part of '42, '43, and half of '44.

Mr. COHN. Now, who went out on these two social occasions? Who was present?

Mr. WALKER. I can only remember having dinner with Joe Levitsky, Mark Epstein, and myself.

Mr. COHN. Who else?

Mr. WALKER. That is all I can remember. I think that is all that were there.

Mr. COHN. You never knew Levitsky was a Communist, or anything like that?

Mr. WALKER. No, I did not.

Mr. CARR. Mr. Walker, we have been led to believe that you would tell everything you could about your association with Levitsky, that you would like not to hold back on anything in connection with Levitsky. Was Levitsky interested in what you were doing, the kind of work you were doing?

Mr. WALKER. No, at RCA Camden, he was doing the same thing we were all doing. That was not classified work, as I remember.

Mr. CARR. When did you see him, between the time that you were at Camden and the time that you last saw him? Were there any other times in between?

Mr. WALKER. Oh, yes. I think I was to his house on two occasions. They were strictly social and business.

Mr. CARR. When were these occasions?

Mr. WALKER. One occasion was shortly after he got married. He had a little party.

Mr. CARR. What year, roughly? Do you recall?

Mr. WALKER. It was probably the early part of '44.

Mr. CARR. Where were you working at that time?

Mr. WALKER. Well, I don't know where I was working exactly, when I saw him, but I was at Jefferson Travis in New York City in '44, and I do not believe the work there was classified, that I was in charge of. Previously to that, in the New York area, I was out at a radio company, and they had some radio marine transmitters, which I do not believe were classified.

Previous to that, I was inspecting at the Radio Receptor Company. I don't know if the material there was classified or not. It was a communication transmitter and receiver. But at no time do I recall that Levitsky questioned me technically about the work.

Mr. CARR. Then there was one other time you mentioned that you had seen him, either at your house or his house.

Mr. WALKER. He was never at my house. There was a time—this was after I had got out of the service, and I had always had the idea of starting in business, which I later did, and I suggested that a group of engineers get together and discuss possibly developing some product. And we had a meeting there for that purpose. And we may have had two meetings, discussing at that time that I wanted to develop a converter for home use, and there was some discussion about that. I think Mark Epstein was there and Carl

Greenblum, and I think Greenblum did some of the work on that, and it was later dropped, and that was about the end of it.

Mr. CARR. Did Levitsky at any time approach you in any fashion which, looking back now at all of your associations with him, would lead you to believe that he was setting you up to become a member of this apparatus?

Mr. WALKER. No. I had very infrequent contact with him, and I had no thought like that that entered my head.

Mr. CARR. No thought entered your head. But looking back at it now, do you think that such a thought may have entered his head?

Mr. WALKER. No. Well, I don't see any reason for that, because, as I say, our meetings were very infrequent. He never made any particular attempt to get in touch with me. And I don't recall any particular discussion of any technical part of my work.

The CHAIRMAN. I may say, Mr. Walker, if you change your mind and decide to give us the information which the other witnesses have indicated you have, you may contact Mr. Cohn.

Mr. WALKER. I would be very glad to give you anything.

Mr. RAINVILLE. May I ask you a question before you leave? Who actually paid the rent? Did you pay individually, or did one fellow collect and pay it?

Mr. WALKER. As I remember, one fellow collected and paid it, and I can only recall one occasion. I have a picture of Mark Epstein paying it on one occasion.

Mr. RAINVILLE. Who was the one who generally paid it?

Mr. WALKER. I can't recall a detail like that.

Mr. RAINVILLE. You don't remember anybody dunning you for the rent when you slipped up a couple of days without giving it to them? Can you remember how much you paid?

Mr. WALKER. No. A very nominal amount. I don't think it amounted to more than about six dollars a week, something like that.

Mr. RAINVILLE. Of course, that was trivial, and you wouldn't remember who you paid it to, probably. There was one other thing. You said the five people you named as rooming there, and later you acknowledged that Greenblum was the sixth one——

Mr. WALKER. That made six?

Mr. RAINVILLE. That made six.

Mr. WALKER. It does make six, yes.

Mr. RAINVILLE. You said Levitsky, Epstein, Hodes, and Grandizio in addition to Rosenberg. That is five, and plus yourself is six, and Carl Greenblum would be seven. So that would be six persons besides yourself.

Mr. WALKER. I don't think it would be seven. Would you repeat that, please?

Mr. RAINVILLE. Well, you repeat it.

Mr. WALKER. All right. Mark Epstein, Joe Levitsky, Julius Rosenberg, Iz Hodes, and Grandizio—yes, that is true. All I can think of is that they were sort of coming and going. I don't seem to recall Iz Hodes, there all the time. Grandizio may have left and roomed with Mogavero.

Mr. RAINVILLE. The ones that would be floating in and out, then, would be Hodes and Grandizio, but the others were the regulars?

Mr. WALKER. I think Joe Levitsky took a room because he wanted to learn the piano. He took a room and rented a piano at one time.

Mr. RAINVILLE. But the others were the regulars who lived there?

Mr. WALKER. That is right.

Mr. RAINVILLE. Then you later said all who roomed there were in the car pool.

Mr. WALKER. I know Grandizio and Mogavero would meet us and have breakfast and drive in. I don't specifically remember Hodes driving in with us, although I don't specifically remember him not.

Mr. RAINVILLE. Then why did you later say that you could not remember Rosenberg in the pool?

Mr. WALKER. I also don't specifically remember actually driving in with Rosenberg.

Mr. RAINVILLE. But you said that all of the fellows who lived in the house did drive in in the car pool, and then you said you don't remember Rosenberg in it.

Mr. WALKER. As far as I know, as far as I can remember. I can't remember anybody particularly not riding in. I just can't remember. In other words, there were about six people in the car, I guess, and I just don't remember exactly who was in the car during these rides back and forth. I have thought about that, and I haven't been able to recollect it.

Mr. COHN. What was your home address, Mr. Walker?

Mr. WALKER. 2 Spring Lane, Levittown, New York.

The CHAIRMAN. Just one question before you leave. How many beds were in the apartment?

Mr. WALKER. I don't remember. There was a sort of a cot in one of the bedrooms, and then I think there were three bedrooms, and I don't know if anyone slept in any daybed or not. I don't know.

The CHAIRMAN. Three beds?

Mr. WALKER. Oh, no. There were more than three beds.

The CHAIRMAN. I am asking you a simple question. Do you know how many beds were in the apartment?

Mr. WALKER. I don't know how many beds were in the apartment.

The CHAIRMAN. You don't need to give me any speech. Who slept with Rosenberg?

Mr. WALKER. I don't think anybody slept in the same bed with him.

The CHAIRMAN. The evidence we have had so far is contrary to that. Do you know who slept with Rosenberg?

Mr. WALKER. I know I slept alone. I know Rosenberg slept in the same bedroom that I did.

The CHAIRMAN. Did you sleep in the same bedroom with Rosenberg?

Mr. WALKER. Yes.

The CHAIRMAN. How many months?

Mr. WALKER. Six or less.

The CHAIRMAN. And did Levitsky sleep in the same bedroom?

Mr. WALKER. I don't remember him being in there. I don't know.

The CHAIRMAN. And before you leave, your final testimony is that you had no reason at any time to believe that Levitsky or

Rosenberg or anyone else you roomed with were either Communists or espionage agents, and at no time did you ever think that they were either Communists or espionage agents, and nothing they said to you or told you indicated to you they were Communists or espionage agents. Is that your testimony? If it is not, we will break it down in separate questions and let you clarify it.

Mr. WALKER. Well, nothing that they said—

Mr. COHN. Don't fence about this, now. Did you think Levitsky was a Communist, or didn't you? I don't mean: did you see a party card? You lived with the man, and knew him. Did you think he was a Communist?

Mr. WALKER. I did not think he was a Communist.

The CHAIRMAN. Just one question, I want to tie this down. There was nothing that occurred in the apartment or any other time in your association with those roommates of yours—that includes Levitsky and Rosenberg—to cause you to think that they were or might be Communists or espionage agents, either?

Mr. WALKER. Well—

The CHAIRMAN. "Yes" or "no"?

Mr. WALKER. I can't answer yes or no.

The CHAIRMAN. All right. Then answer it as best you can. Use your own language.

Mr. WALKER. I will say that nothing they ever said or did while I was there led me to believe they were espionage agents, and I did not believe they were Communists. As to what I thought they might be, all I can say is that on reflection, there were a number of conversations there involving Russia and the Russian government and social system which, just from their interest, could make me think that possibly they were. But that is as far as the indication could be.

The CHAIRMAN. Did you think at the time you were living with them that they were Communists?

Mr. WALKER. No. I did not.

The CHAIRMAN. You may leave.

If you get a lawyer, he will have the right to examine the executive session testimony.

Mr. WALKER. Did you say I have the right to see this?

The CHAIRMAN. You have the right to see it, or your lawyer has the right to see it.

Mr. WALKER. Simply by applying?

The CHAIRMAN. Yes. Just contact Mr. Cohn or Mr. Carr or anybody on the staff. The transcript will not be sent to you. The rules of the committee are that the executive session testimony will not be sent out. You can come in either to New York or Washington and examine the testimony in as much detail as you care to, or if you have a lawyer he can come in and examine the testimony. I would strongly advise you to get yourself a lawyer.

Mr. WALKER. Well, I am sorry you think that.

The CHAIRMAN. It is not my job to decide. I know that somebody is guilty of perjury. Whether it is you or the other witnesses, I do not know. I think this. If I were on the grand jury—and this will come before them—I would decide that a man of your intelligence knew he was living with Communists. I do not think you can be as dumb as you try to make out.

Mr. WALKER. I am not dumb. This is twelve years ago.

The CHAIRMAN. I do not want to hear anything further.

If you decide to come back and give us any further information, we will be glad to hear it.

Mr. COHN. The witness is Joseph Levitsky, and counsel is Louis Boudin.

Now, Mr. Levitsky, you know you are still under oath.

**FURTHER TESTIMONY OF JOSEPH LEVITSKY (ACCOMPANIED
BY HIS COUNSEL, LEONARD B. BOUDIN)**

Mr. BOUDIN. Could I make a request of the committee? Two things. First, if a client of mine is desired for a committee hearing, I would like to have more notice than eleven-thirty at night the night before, because it is very hard for me to put aside all my commitments and my other problems and come down here that quickly.

Secondly, Mr. Levitsky wishes to make a statement relating to the jurisdiction of the committee, and it is a brief one. If you will permit him to read it, we can state our jurisdictional grounds.

Mr. COHN. On the first point, before the chairman rules on the second one, the committee staff was attempting to reach you all yesterday afternoon and evening. I realize you are busy, to all the activities dumped in your lap by this committee, but we did try to reach you, and we are all back here on Saturday because an urgent situation has arisen. There is a direct conflict in testimony which we have to resolve.

The CHAIRMAN. Under the rules of the committee, statements must be submitted twenty-four hours in advance. However, in view of the fact that the witness was not called until yesterday, he could not have had the statement ready twenty-four hours in advance. Therefore, we will waive the rule.

Mr. COHN. Since it is in writing, why do we not enter it in the record.

Mr. LEVITSKY. I wish to make the following statement as to the jurisdiction of the committee:

I object to the entire inquiry on the following grounds:

(1) As appears from my prior examination and the newspaper reports, this committee is conducting a criminal investigation, not a legislative inquiry.

(2) It is attempting to entrap and seek evidence to prosecute me for perjury and other crimes on the basis of the testimony of other witnesses whose names and testimony it has not disclosed to me.

Mr. BOUDIN. Now I think we can adopt your suggestion and, if you want to save time, simply put this in as if the witness had testified.

The CHAIRMAN. First, could I ask you: Who wrote the statement for you?

Mr. BOUDIN. I prepared this for the witness, Senator. It is a statement of legal grounds. I am not going to argue, because I know you do not want to hear argument.

The CHAIRMAN. Your objection to the jurisdiction of the committee, of course, is overruled.

Mr. BOUDIN. And it is understood that the full statement is to appear in the record as if we had testified?

The CHAIRMAN. Mr. Reporter, this will be given you, and the entire statement will be inserted, the same as if Mr. Levitsky read it.

Mr. LEVITSKY. (3) It has directed me to appear here upon short notice without an adequate opportunity to prepare for examination upon the serious criminal matters which have been the subject of the committee's statements to the press.

(4) The committee's jurisdiction is limited by the Legislative Reorganization Act and does not include an inquiry into espionage, or an examination of non-governmental personnel with respect to events which occurred a decade ago.

(5) Since I have previously been examined exhaustively by Senator McCarthy and two assistants, and the committee already has my answers, none of its questions of today can be pertinent to the legislative process or to any matter legitimately under inquiry here.

I therefore rely upon my constitutional privilege under the Fifth Amendment not to be a witness against myself and upon all the other constitutional and legal grounds applicable to the five points made by me.

Mr. COHN. Mr. Levitsky, I want to go back to this period you told us about, when you were in Philadelphia living with Julius Rosenberg and Carl Greenblum. Were Rosenberg and Greenblum living in the apartment at the same time?

Mr. LEVITSKY. I plead the Fifth in answer to that question.

Mr. BOUDIN. I say that because of the committee's statements which were made in the press with respect to conflicts in testimony between witnesses—and evidently this is one intended by the committee—the witness can properly assert the privilege even if the same questions are repeated. And it may also be understood—I don't like to take the time again; I am pretty experienced here—that where we do state an objection we are relying not only on the privilege but on all the other grounds, although I understand the committee's position is that it will only recognize the privilege.

Mr. COHN. Will you tell us the names of individuals in the car pool from Camden to Philadelphia, Mr. Levitsky?

Mr. LEVITSKY. Will you wait just a second, please?

Mr. BOUDIN. I want to check and see whether we covered that before.

Mr. LEVITSKY. I decline to answer the question, on all the grounds previously stated.

Mr. COHN. Mr. Chairman, I suggest the only valid ground would be the Fifth Amendment. In this case an identical question was asked the witness the other day, and he has waived his privilege, and I would ask you to direct him to answer this question.

Mr. BOUDIN. Can I see the testimony which contains the identical question?

The CHAIRMAN. You will be directed to answer that question on which you previously waived your privilege.

Mr. LEVITSKY. There were Markus Epstein and Carl Greenblum.

Mr. COHN. Who else?

Mr. LEVITSKY. I plead the privilege of the Fifth Amendment in answering that question.

The CHAIRMAN. What was the question again?

Mr. COHN. Whether there were any other people in the car pool besides Epstein and Greenblum. Would you direct an answer Mr. Chairman?

The CHAIRMAN. The chair will direct you to answer, and order you to answer, in that you have already waived any privilege.

Mr. BOUDIN. May I just indicate the witness was not asked before who else was in the car pool.

Mr. COHN. He was asked for all the individuals in the car pool. As you well know, the question does not have to be identical, if there is a waiver as to that area.

Mr. BOUDIN. In view, as I say, of the statements made, that there is a conflict in testimony between this witness and the others—

The CHAIRMAN. Mr. Boudin, time is limited. I would rather hear from the witness. You may instruct him.

You understand, Mr. Levitsky, that you are ordered to answer the question asked you by counsel. And I would suggest, so that there could be no possible question about what you are asking, Roy, that you re-ask the question.

Mr. COHN. Name the other individuals in the car pool.

Mr. LEVITSKY. I refuse to answer the question on the basis of all the previous reasons given.

The CHAIRMAN. You are ordered to answer the question. I assume you still refuse?

Mr. LEVITSKY. I decline.

The CHAIRMAN. May I ask you another question now? It is somewhat repetitious, but just to have the record completely clear: Name all of the people who were in this car pool with you.

Mr. LEVITSKY. I decline to answer, for the same reason.

The CHAIRMAN. You will be ordered to answer, again. I assume you still decline. Is that correct?

Mr. LEVITSKY. I do.

Mr. COHN. Was there a couple by the name of Fred and Ceil who were present at your home on any occasion?

Mr. LEVITSKY. I decline to answer, on the basis of the Fifth Amendment.

Mr. COHN. Mr. Levitsky, is it fact that you took Carl Greenblum to a restaurant at 34th Street in New York and introduced him to William Perl and Joel Barr and sought to induce him to join an espionage ring?

Mr. LEVITSKY. I refuse to answer the question, on the basis of the privilege of the Fifth Amendment.

Mr. COHN. Have you engaged in espionage against the United States?

Mr. LEVITSKY. I previously answered that question.

Mr. COHN. You are asked that question again.

Mr. LEVITSKY. The answer is still the same. No.

Mr. COHN. Did you attempt to induce Carl Greenblum to join an espionage ring?

Mr. LEVITSKY. I plead the Fifth Amendment in reply to that question.

Mr. COHN. Did you take Carl Greenblum to a restaurant to meet William Perl and Joel Barr for the purpose of having them look him over prior to inviting him into this espionage ring?

Mr. LEVITSKY. I plead the Fifth Amendment in reply to that question.

Mr. COHN. Did you ask anybody to engage in espionage with you?

Mr. LEVITSKY. I decline to answer the question, on the basis of all the reasons previously stated, including the privilege.

The CHAIRMAN. You will be directed to answer that.

So that counsel will understand the reason for this, in the opinion of the chair he has waived his privilege when he stated that he did not engage in espionage. Soliciting someone to engage in espionage with him would be engaging in espionage.

And when you waive the privilege, as I believe you stated, Roy, so well, a number of times, you waive not only as to the specific question but as to the general area. And the chair's position is that he has waived the privilege as to the general area of espionage activities on his part.

You are therefore ordered to answer the question which counsel has asked you.

Mr. BOUDIN. The chair does not desire to hear from counsel?

The CHAIRMAN. No, I would rather not. I have gone into this in great detail.

Mr. LEVITSKY. I respectfully decline to answer that question, on the same grounds previously given. I claim the privilege.

Mr. COHN. Do you know a man named Morris Sevitsky, S-e-v-i-t-s-k-y?

Mr. LEVITSKY. I plead the privilege under the Fifth Amendment in refusing to answer the question.

Mr. BOUDIN. Can it be understood if the witness says, "I decline to answer that," he declines on all the grounds, including the privilege?

The CHAIRMAN. In other words, when he says, "I refuse to answer on the grounds previously stated," he means he is refusing to answer, number one, on the ground that a truthful answer might tend to incriminate him; number two, that he questions the jurisdiction of the committee.

Mr. BOUDIN. And all the other grounds stated in the written statement.

The CHAIRMAN. And all the grounds stated in the written statement.

Mr. BOUDIN. Thank you very much, Senator.

Mr. COHN. After Julius Rosenberg was arrested for espionage, were you asked by anyone whether you had been involved with him, and did you reply, "Yes, and but for the grace of God there go I"?

Mr. LEVITSKY. I refuse to answer the question, on the basis of the Fifth Amendment.

The CHAIRMAN. You are ordered to answer that question. And again the chair's reason is that you have waived the privilege.

Mr. LEVITSKY. I respectfully decline to answer the question.

Mr. COHN. Did you ever discuss classified information in government laboratories with Carl Greenblum, and Lou Antell, and Alfred Walker?

Mr. LEVITSKY. I decline to answer the question, on the basis of the same reasons as previously given.

The CHAIRMAN. Just one other question. Did you ever admit to anyone that you had been or were engaging in espionage?

Mr. LEVITSKY. I plead the Fifth Amendment in reply to that question.

The CHAIRMAN. You are again ordered to answer that. I assume you still refuse?

Mr. BOUDIN. Just a second.

[Mr. Boudin confers with Mr. Levitsky.]

Mr. LEVITSKY. I plead the Fifth Amendment in reply to that question.

Mr. COHN. Have you ever engaged in a conspiracy to commit espionage?

Mr. LEVITSKY. I plead the Fifth Amendment in refusing to answer the question.

The CHAIRMAN. You are ordered to answer the question.

Mr. LEVITSKY. I respectfully decline.

The CHAIRMAN. That will be all. You will consider yourself under subpoena.

And I think in fairness to the witness, he should know that we will ask that he be cited for contempt. There will be some lapse of time on that. The citation can not occur until after the first of the year. It takes a Senate vote on that. But I think you should know that that will be the position of the chair, and I think maybe it will be the position of the other senators, too.

Mr. BOUDIN. May I ask whether there are any other senators present?

The CHAIRMAN. No. There is the administrative assistant to Senator Dirksen, Mr. Rainville, and the assistant to Senator Potter, Robert Jones.

Mr. BOUDIN. And may I also ask whether the transcript of this hearing and of the prior one will be available to me?

The CHAIRMAN. Yes, they definitely will be available to you.

Mr. BOUDIN. Can they be purchased by us?

The CHAIRMAN. No, the rule of the committee is that we cannot send out executive testimony. However, it will all be available. Is your office in New York, or Washington?

Mr. BOUDIN. New York.

The CHAIRMAN. It will be available down here, then.

You can come in at any time you want to and spend as much time as you want to going over the transcript.

Just contact any of the members.

And in view of the seriousness of this, I assume you will want to make notes from the transcript.

Mr. BOUDIN. I would like to. We have not had the advantage of it for today's hearing.

Good day, sir.

The CHAIRMAN. Mr. Antell, will you raise your right hand and be sworn?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANTELL. I do.

Mr. COHN. May we have your name, please?

TESTIMONY OF LOUIS ANTELL

Mr. ANTELL. Louis Antell.

Mr. COHN. A-n-t-e-l-l?

Mr. ANTELL. Yes.

Mr. COHN. Is it L-e-w or L-o-u?

Mr. ANTELL. L-o-u.

Mr. COHN. And where do you live?

Mr. ANTELL. 1936 79th Street, Jackson Heights, Long Island.

Mr. COHN. 1936 79th Street where?

Mr. ANTELL. Jackson Heights, Long Island.

Mr. COHN. Where do you work now?

Mr. ANTELL. I work for the Signal Corps Supply Agency at 70 East 10th Street.

Mr. COHN. How long have you been working there, Mr. Antell?

Mr. ANTELL. Well, it was formerly the procurement agency. The names have changed. But I have been with the same organization since 1940.

Mr. COHN. Always on the supply and procurement end; is that right?

Mr. ANTELL. Always with the same group, the inspection group, which was part of procurement. And it has gone through various name changes throughout the years.

Mr. COHN. Where have you been stationed?

Mr. ANTELL. I have been out in the field mostly, because my work is inspection work.

Mr. COHN. Now, have you ever had any access to classified material?

Mr. ANTELL. Yes, sir.

Mr. COHN. You are cleared for that, I assume?

Mr. ANTELL. Yes, sir.

Mr. COHN. Do you know a man by the name of Carl Greenblum?

Mr. ANTELL. I do.

Mr. COHN. You know him rather well?

Mr. ANTELL. Yes, I do.

Mr. COHN. Do you know a man by the name of Joseph Levitsky?

Mr. ANTELL. I do.

Mr. COHN. You just saw him walking out of here?

Mr. ANTELL. Yes.

Mr. COHN. Where did you first know him?

Mr. ANTELL. I remember in the early days, in 1940, the fellows used to accumulate in the office until they had assignments. And that is when I can first remember Levitsky. Because he had a bald head, and I was losing my hair, and was a little conscious of it, too. So it sort of remained in my mind. That is how I remember seeing Joe first. But I didn't know him by name there.

Mr. COHN. Did Julius Rosenberg ever "accumulate" in any of those gatherings?

Mr. ANTELL. Well, we used to meet on Saturday mornings. You see, we used to have a session. A group of fellows would get together, because there wasn't much work on Saturday mornings.

Mr. COHN. Was Rosenberg ever among that group?

Mr. ANTELL. I don't remember. I think he was. But it is too far back.

Mr. COHN. Where was this?

Mr. ANTELL. This was in the New York Port of Embarkation.

Mr. COHN. Now, who do you remember as having been in that group?

Mr. ANTELL. Oh, we had hundreds of inspectors. The first time, my office hired a hundred inspectors.

Mr. COHN. Who do you remember as being the clique in that Saturday morning accumulation?

Mr. ANTELL. Oh, in the Saturday morning group? There are so many. Most of the names have since—

Mr. COHN. Would you recall any of them?

Mr. ANTELL. Oh, Handelsman, Jerry Friedman, Charlie Stanton, were some of the fellows I had a little more to do with.

Mr. COHN. Did you come to know Levitsky better on any occasion?

Mr. ANTELL. Well, the next time I remember meeting him by name was either late 1940 or some time in '41. This is what happened. I was given a roving assignment out in RCA Camden. What I mean by a "roving assignment" is that it is something which is a short assignment. This was a two-day assignment, as I remember. And I was sent along with two other fellows, and we went along together, the three of us, to do this assignment.

It also happens that we had a resident group at RCA. But our office was so set up that we had different sections, a miscellaneous section, a radio section, a wire section.

So if we had an order, a miscellaneous section order, which this order was, we would send an inspector there. That was the procedure at that time. So I went with these two fellows to RCA. And it so happens it was a two-day assignment. And as I remember, these fellows knew some of the inspectors there. So that evening we went out to dinner together. That is the first I could remember, when I was actually in their company.

Mr. COHN. Who went out to dinner?

Mr. ANTELL. Well, the fellows came with—one fellow's name was Grandizio.

Mr. COHN. And Levitsky?

Mr. ANTELL. Well, the two fellows I came down with—one's name was Grandizio and the other fellow's name was Hodes. And I think Levitsky was there, and I think Greenblum was there. I think there were a few other fellows, too. There must have been a party of nearly eight.

Mr. COHN. What is next?

Mr. ANTELL. Then I don't remember seeing him until a few years later.

Mr. COHN. Under what circumstances?

Mr. ANTELL. Through Greenblum. I think I saw Greenblum in the interim, but the next time I remember seeing Greenblum was, I think, in 1944. I mean where I actually had any conversation with him. Sometime in 1944. And I remember the date because we were coming over on a ferry, and he was working over at Federal, and I was stationed at the Jersey City plant. I met him on the ferry, and we were talking about vacations. So he said he was going up to this place. We got talking about vacations, and I was looking for a place to go. So I went up there. And I think we were

sort of a week on a phase, but we had a period where we overlapped.

Mr. COHN. Was Levitsky there?

Mr. ANTELL. No.

Mr. COHN. Would you tell me about Levitsky, please?

Mr. ANTELL. When I next saw him?

Mr. COHN. Yes.

Mr. ANTELL. I didn't see him again until I became acquainted with Greenblum. Because Greenblum knew him better than I knew him.

I can't remember, except that I knew Greenblum would occasionally make an appointment to see Joe, and sometimes it was over to his house for an evening, and we would meet there.

Mr. COHN. Who was present?

Mr. ANTELL. Sometimes it would be three of us. Sometimes there would be others.

Mr. COHN. Who were the three? Greenblum, Levitsky, and yourself?

Mr. ANTELL. Yes.

Mr. COHN. Who were some of the others?

Mr. ANTELL. Well, I think at one time Hodes was up there, and another time I think Mark Epstein was up there. And I think also he had a friend by the name of, I think, Sol Gogol, or something.

Mr. COHN. Sol—? I didn't get that last name.

Mr. ANTELL. Gogol.

Mr. COHN. G-o-g-o-l?

Mr. ANTELL. I am not sure even of the name.

Mr. COHN. Where did this fellow work?

Mr. ANTELL. I think he worked for Lummus, L-u-m-m-u-s.

Mr. COHN. Where is that?

Mr. ANTELL. They are in New York. I don't know where they are located today, but they were once at Lexington Avenue, 420.

I once worked for them, and that is why it stuck in my mind.

Mr. COHN. Anybody else?

Mr. ANTELL. Over at his house?

Mr. COHN. Yes. Or meeting in his company.

Mr. ANTELL. Fellows?

Mr. COHN. Yes.

Mr. ANTELL. I can't recall anybody else. No, I can't recall anybody else. I must have been over to his house about a half dozen times. On other occasions—this was over a period of years, so this spacing wasn't so—you know, just on occasion. Occasionally, we would come out to Brighton Beach and would gather there. Maybe ten or twenty fellows would just chew the fat and spend the day at the beach, because on a hot summer day it was the usual thing to do. Especially, you know, when you are unmarried, and you are looking for a place to go.

Mr. COHN. That is all right. Now, when was the next time you recall seeing Levitsky?

Mr. ANTELL. Well, those were the few occasions. I think on one or two occasions, we might have gone to concerts together with Carl Greenblum.

Mr. COHN. And who else would have been present on any of those occasions?

Mr. ANTELL. I don't remember any of the others.

Mr. COHN. You do not recall anybody else being present?

Mr. ANTELL. No. They might have been, but I don't remember.

Mr. COHN. You have no recollection of it?

Mr. ANTELL. No.

Mr. COHN. Now, when is the last time you saw Levitsky?

Mr. ANTELL. Well, we had a get-together. I think Carl Greenblum was getting married. And it has been the practice—

Mr. COHN. I want to save a little time. We don't need all this.

Mr. ANTELL. It has been a little practice for the fellows to make up a little party. So it was at the Chanticleer. That is a restaurant in New Jersey somewhere.

Mr. COHN. Who else was present on that occasion?

Mr. ANTELL. Carl was there, and maybe at least ten different fellows.

Mr. COHN. Levitsky, yourself, who else?

Mr. ANTELL. A fellow by the name of Lou Gibson.

Mr. COHN. Al Walker?

Mr. ANTELL. Al Walker? I don't remember.

Mr. COHN. Epstein?

Mr. ANTELL. Epstein was probably there, but I don't remember him clearly.

Mr. COHN. Hodes?

Mr. ANTELL. Hodes? I don't think he was there. I don't think so.

Mr. COHN. Let me ask you this. Did you know that Levitsky was a Communist?

Mr. ANTELL. No, I didn't know he was a Communist.

Mr. COHN. Did you ever think he was a Communist?

Mr. ANTELL. Well, he had, you know, what you might call liberal ideas, and there was a possibility, but I never knew that he associated with Communists.

Mr. COHN. Did he ever discuss your work for the government with you?

Mr. ANTELL. No.

Mr. COHN. You say there was just a possibility. Did that disturb you?

Mr. ANTELL. Well, it did. And I didn't become friendly with him.

Mr. COHN. Did you ever go to Greenblum and say you thought it was important for you and Greenblum to keep away from Levitsky?

Mr. ANTELL. Well, no. Because I didn't know that he was a Communist, and I didn't think enough of it at the time.

Mr. COHN. Your testimony is that you never discussed with Greenblum the idea of having less to do with Levitsky?

Mr. ANTELL. I can't remember any such, no.

The CHAIRMAN. I was interested in the statement you made when counsel asked you whether or not you thought he was a Communist, and you said he had liberal ideas.

Mr. ANTELL. Yes.

The CHAIRMAN. Is your definition of communism something that is liberal?

Mr. ANTELL. Well, the only thing is this. No, not exactly. But some people have more information than others, and you very often find Communists are better informed. They do more reading, per-

haps. They are more interested. The average fellow who isn't interested won't express himself the same way. However, you do find many people who are not Communists, and yet they have a deep interest in politics.

The CHAIRMAN. By "liberal," ideas, did you mean Communist ideas?

Mr. ANTELL. Well, no, not particularly.

The CHAIRMAN. Then your testimony is that at no time did you feel that Levitsky might be a Communist?

Mr. ANTELL. Well, I wouldn't say that. I mean, you know, you never know exactly about people. There was some doubt in my mind. There wasn't enough for me really to where I could say that he was.

The CHAIRMAN. I am not asking you whether you could say that he was. Did you think that he was?

Mr. ANTELL. Well, let me put it this way. There was some doubt in my mind of what his actual position was.

The CHAIRMAN. In other words, there was some doubt in your mind as to whether he was a Communist or not?

Mr. ANTELL. Yes, there was some doubt.

The CHAIRMAN. When did you first have that doubt?

Mr. ANTELL. Well, I can't remember.

The CHAIRMAN. It is rather important. You are handling secret material. You should have some degree of intelligence in identifying espionage agents and Communists. Either that or you should not have top secret clearance. When did you start to think he was a Communist? He was a good friend of yours.

Mr. ANTELL. He wasn't a good friend of mine.

The CHAIRMAN. All right. When did you first think he might be a Communist. When was there first this doubt in your mind as to whether he was a Communist? I mean roughly. I know you can not give us the date and the particular time. But in 1946 was there a doubt in your mind?

Mr. ANTELL. Well, the doubt was really in his favor, that he wasn't.

The CHAIRMAN. The doubt was in his favor?

Mr. ANTELL. Yes, that he wasn't. Because I never saw him with people that were Communists, or there weren't any indications to me that would prove he was a Communist.

The CHAIRMAN. I do not understand a doubt about his being Communist being in his favor. You mean by that that you thought he was not a Communist?

Mr. ANTELL. Well, as I said, there was a small amount of doubt, but not enough to really move me.

Mr. RAINVILLE. May I suggest that you rephrase the question: when did he begin to doubt that he was a Communist?

The CHAIRMAN. Yes, let us put it that way. When did you begin to doubt that he was a Communist?

I am afraid that is not a fair question, because he said he didn't think he was a Communist.

When did you first have this doubt about whether he was a Communist? Would you say 1946?

Mr. ANTELL. I can't pinpoint it.

The CHAIRMAN. Well, was it while Levitsky was working for the Signal Corps?

Mr. ANTELL. I didn't see him while he was working for the Signal Corps again, until some time perhaps in 19——

The CHAIRMAN. Did you know him while he was working for the Signal Corps?

Mr. ANTELL. I only met him really that one time, at this place in RCA.

The CHAIRMAN. All right. You knew he was working for the Signal Corps, did you?

Mr. ANTELL. Yes.

The CHAIRMAN. At that time——

Mr. ANTELL. At that time.

The CHAIRMAN. Wait until I have finished.

Mr. ANTELL. Excuse me.

The CHAIRMAN. At that time, did you have a doubt as to whether he was a Communist?

Mr. ANTELL. No, at that time I didn't think he was.

The CHAIRMAN. Did you have that doubt at that time?

Mr. ANTELL. No.

The CHAIRMAN. Well, when did the doubt first arise? What caused that doubt to arise?

Mr. ANTELL. Well, just from the way perhaps he expressed himself.

The CHAIRMAN. Did he express himself about communism?

Mr. ANTELL. No, not about communism. He was perhaps a little more acquainted with these things. And generally you find the Communists are the ones that are better informed. That is, they do more reading. They are more interested in it. Therefore, they have more information.

The CHAIRMAN. He never told you he was a Communist?

Mr. ANTELL. No, sir.

The CHAIRMAN. Did you ever decide you should break off your contacts with him, because you thought he was a Communist?

Mr. ANTELL. Well, I used to see him as little as possible. Because, as I said, he was an acquaintance of mine. And I knew him through Greenblum.

The CHAIRMAN. Now, you understand my question. I don't need a speech from you. The question is: Did you ever decide to break off your contacts with him because you thought he was a Communist?

Mr. ANTELL. Well, as I said, there was some doubt in my mind what his position was.

The CHAIRMAN. Did you decide to break off your contact with him because of that doubt?

Mr. ANTELL. As I said, I only would see him infrequently.

The CHAIRMAN. Did you decide to break off your contacts because of that doubt?

You know whether you decided to break off your contacts with this man because you had a doubt as to whether he was a Communist. Just tell us.

Mr. ANTELL. I didn't feel he was really a Communist. There was that doubt, but you might have that doubt about many people.

The CHAIRMAN. The number of times you saw him had nothing to do with this doubt in your mind about his being a Communist. Was that right?

Mr. ANTELL. Well, you see——

The CHAIRMAN. Did the number of times you saw him have anything to do with this doubt that was in your mind? Yes, or no?

Mr. ANTELL. Well, no, because——

The CHAIRMAN. I do not care about the “because.” Your answer is “no”?

Mr. ANTELL. You see, I never made an appointment to see him myself. I would always see him through Greenblum.

The CHAIRMAN. Was the number of times you saw him in any way influenced by this doubt which you spoke of about his being a Communist?

Mr. ANTELL. I just let it lay, because I didn't think it was significant. Because I had no real assurance. I mean, you might have a doubt about some people. But I just couldn't——

The CHAIRMAN. I am going to keep asking you questions until you answer. It is a very simple question.

Mr. ANTELL. Well, knowing him, I mean, I never had any more information what his position was than when I first doubted him.

The CHAIRMAN. You understand my question?

Mr. ANTELL. Yes.

The CHAIRMAN. I asked you whether the number of times you saw him was in any way influenced by this doubt about his being a Communist.

Mr. ANTELL. Oh, I see.

The CHAIRMAN. Yes, or no.

Mr. ANTELL. Well, can I say it this way, Senator——

The CHAIRMAN. You can say it “yes,” or “no.” I have been listening to your speeches long enough. Did you see him more, or less, because of this doubt?

Mr. ANTELL. I saw him less.

The CHAIRMAN. You saw him less because of it?

Mr. ANTELL. Yes, sir.

The CHAIRMAN. In other words, you did keep from seeing him because you thought he might be a Communist?

Mr. ANTELL. Yes. There was a small element of doubt.

The CHAIRMAN. All right. Did you ever go to anyone else and say, “It would be better to see Levitsky less”? Did you?

Mr. ANTELL. Well, I saw him so infrequently.

The CHAIRMAN. Listen to me, now. Did you ever go to anyone——

Mr. ANTELL. No, sir, I——

The CHAIRMAN. Did you ever go to anyone——

Mr. ANTELL. What do you mean by going to anyone? I am sorry. I don't know what you mean.

The CHAIRMAN. Unless you be quiet until I finish asking these questions, I am going to hold you in contempt of the committee. We have a lot of testimony about you, and you are going to tell us the truth or have your case submitted to a grand jury.

I asked you a simple question. Did you ever go to anyone and suggest to them that they see Levitsky less because you thought Levitsky was a Communist?

Mr. ANTELL. No, sir.

The CHAIRMAN. You are sure of that?

Mr. ANTELL. I don't remember it.

The CHAIRMAN. And Levitsky never told you he was a Communist?

Mr. ANTELL. No, sir.

The CHAIRMAN. You are sure of that?

Mr. ANTELL. Yes, sir.

The CHAIRMAN. All right.

This will be submitted to the attorney general, with the request that it be submitted to the grand jury for an indictment for perjury. Because we have the evidence here, the sworn testimony, that Levitsky very freely told you he was a Communist, discussed communism with you.

Mr. ANTELL. Oh, my God.

The CHAIRMAN. That you went to one of your friends and you and this friend discussed whether or not you should not break off seeing Levitsky because he was a Communist.

Now, you have not forgotten that?

Mr. ANTELL. I am sorry. The whole thing is very strange.

The CHAIRMAN. It is very strange. You may step down.

If you change your mind and come in and decide to tell us the truth, you may. That is all. You may leave.

[Whereupon, at 12:00 noon, the committee recessed, pending the call of the chair.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Senator McCarthy told reporters that a witness at this executive session had revealed that he had been solicited to send classified radar data through the mails to a scientist working in another branch of the government, which the senator defined as a "clear violation of the Espionage Act." The scientist who had solicited the material, Aaron H. Coleman, later became laboratory chief at Fort Monmouth. In 1946, after military intelligence found forty-eight documents at his residence, Coleman had been reprimanded, suspended for ten days, and allowed to return to his duties. Suspended again in 1953 when the subcommittee launched its probe, he was reinstated in 1958 by court order.

Aaron Coleman testified in public sessions on December 8 and 9, 1953. Fred Joseph Kitty (1918–1988) testified in public on December 8. Jack Okun did not testify publicly.

During this session, the subcommittee also interrogated Barry S. Bernstein, whose testimony was later published in Permanent Subcommittee on Investigations, *Army Signal Corps—Subversion and Espionage*, 83rd Congress, 1st sess. (Washington, D.C.; Government Printing Office, 1954), Part I, October 22, 1953.]

THURSDAY, OCTOBER 22, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Fort Monmouth, NJ.

The subcommittee met at 11:15 a.m., pursuant to recess, in Building 302, Fort Monmouth, New Jersey, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, research assistant to Senator Potter.

Present also: John Adams, counselor to the secretary of the Department of the Army; and Maj. Gen. Kirk B. Lawton.

The CHAIRMAN. Will you stand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KITTY. I do.

Mr. COHN. Can we have your full name, please?

TESTIMONY OF FRED JOSEPH KITTY (ACCOMPANIED BY HIS COUNSEL, O. JOHN ROGGE)

Mr. KITTY. Fred Joseph Kitty, K-i-t-t-y.

Mr. COHN. Mr. Reporter, would you note for the record that Mr. Kitty is represented by O. John Rogge?

Now, Mr. Kitty, was there a time when you were employed by the United States Signal Corps?

Mr. KITTY. Yes, sir, there was.

Mr. COHN. And when was that?

Mr. KITTY. Between July 1942 and September 1945.

Mr. COHN. And where were you stationed?

Mr. KITTY. Camp Evans.

Mr. COHN. Camp Evans?

Mr. KITTY. The signal laboratory.

Mr. COHN. Down here at the laboratory. Did you have a clearance at that time?

Mr. KITTY. Yes, I think I did.

Mr. COHN. And would you deal with classified material?

Mr. KITTY. Yes, I think I would.

Mr. COHN. Where did you go after you left the Signal Corps?

Mr. KITTY. I went to the Bendix Radio Division of Bendix Aviation Corporation.

Mr. COHN. Were they doing any government work there?

Mr. KITTY. Yes, sir, they were.

Mr. COHN. Classified?

Mr. KITTY. Yes, sir.

Mr. COHN. Where did you go from there?

Mr. KITTY. I went to the General Instrument Corporation, Elizabeth, New Jersey.

Mr. COHN. About when?

Mr. KITTY. June 1952.

Mr. COHN. And where are you employed now?

Mr. KITTY. General Instrument Company.

Mr. COHN. You are still employed there. Do they do any government work?

Mr. KITTY. They do some, but I have no clearance now. I have no access to it and don't know the extent of it.

Mr. COHN. You have been indicted in the district court of the district of Maryland for making a false statement on your employment application with Bendix; is that right? In that you failed to disclose membership in the International Workers Order, the IWO?

Mr. KITTY. Yes, sir, that is right.

Mr. COHN. It is here as the International Workers Organization.

Mr. ROGGE. That is the way they have it on the indictment, but I think they mean the International Workers Order.

Mr. COHN. Mr. Kitty, were you a member of the Young Communist League?

Mr. KITTY. Yes, sir, I was.

Mr. COHN. And when were you a member of the Young Communist League?

Mr. KITTY. Between 1938 and 1941.

Mr. COHN. Between '38 and '41. I see.

Now, where were you a member of the Young Communist League?

Mr. KITTY. I was a member first at the Young Communist League Club in the lower East Side of Manhattan, called the Stuyvesant Club, and thereafter I transferred to a group we had at the college I was attending, which was Cooper Union.

Mr. COHN. Now, who do you recall having been in this Stuyvesant Club with you?

Mr. KITTY. The Stuyvesant Club? Actually, I don't recall too many people. Let me explain something.

Mr. COHN. Sure.

Mr. KITTY. I have been through a great deal of questioning by the FBI on these matters. At the time I was questioned, I answered the questions as fully as I could remember them. Now, subsequent to that time, in various discussions I have had, especially in view of the fact that I was indicted, I did a lot of thinking about who were members there, and I do recall one or two names.

Mr. COHN. Could we have those?

Mr. KITTY. Well, I recall there was a fellow named Tuli Dare.

Mr. COHN. Could you spell that for us?

Mr. KITTY. I think it is D-a-r-e; T-u-l-i. I guess. I honestly don't recall any of the other names, Mr. Cohn.

Mr. COHN. What happened to Dare? Did you ever see him after that?

Mr. KITTY. No. I didn't know him very well.

Mr. COHN. You don't know where he is at this time?

Mr. KITTY. No, I had nothing to do with him.

Mr. COHN. How about at Cooper Union?

Mr. KITTY. At Cooper Union, Hy Sigman was a pretty close friend of mine. We worked together.

Mr. COHN. How do you spell that?

Mr. KITTY. S-i-g-m-a-n.

Mr. COHN. Where did he go after that?

Mr. KITTY. He went to work for the Delaware Water Supply Project, at Ellenville, New York.

Mr. COHN. Was that a government project?

Mr. KITTY. No. Well, I think it was a City of New York project.

Mr. COHN. And where did he go after that?

Mr. KITTY. I believe he went to work for the army, the Army Engineer Corps.

Mr. COHN. For the Army Engineer Corps. And how long did he work for the Army Engineer Corps?

Mr. KITTY. This I don't know.

Mr. COHN. Do you know where he was stationed when he was with the army?

Mr. KITTY. I think in the Caribbean.

Mr. COHN. What was his first name?

Mr. KITTY. Hyman.

Mr. COHN. Do you know what he does now?

Mr. KITTY. I saw him once after the war. I believe he was working for Electric Bond and Share at the time, although I won't swear to it. He was working for one of the large civil engineering companies in New York.

Mr. COHN. Now, do you recall anybody else in the YCL at Cooper Union besides Sigman?

Mr. KITTY. Yes, there was Reno King.

Mr. COHN. What was that first name?

Mr. KITTY. Reno. R-e-n-o.

Mr. COHN. Reno King.

Mr. KITTY. Yes.

Mr. COHN. What happened to him afterward?

Mr. KITTY. I think he went to work during the war teaching at some school. I saw him once or twice after the war at meetings of the Tau Beta Pi society.

Mr. COHN. Now, you were telling us what happened to him afterward.

Mr. KITTY. I believe he went to work teaching at the School of Marine Engineering.

Mr. COHN. Marine Engineering?

Mr. KITTY. Yes. I don't recall the name of the school.

Mr. COHN. Was that a government school?

Mr. KITTY. I don't know.

Mr. COHN. Did you hear anything about him after that?

Mr. KITTY. No; I saw him once or twice at these Tau Beta Pi dinners.

Mr. COHN. That was the Cooper Union Chapter?

Mr. KITTY. Of Tau Beta Pi, yes.

Mr. COHN. All right, sir.

Mr. KITTY. And I have never seen or heard from him after that.

Mr. COHN. Now, who else?

Mr. KITTY. There was Bob Schumacher, who was president of the group at the time I was a member.

Mr. COHN. What happened to him?

Mr. KITTY. He went into the army. The way I found out about that, oddly enough, is that I read about a divorce case he was involved in in the newspaper. He apparently was in the Philippines and was sued for divorce.

Mr. COHN. Was he in the military?

Mr. KITTY. Yes, he was an officer in the United States Army.

Mr. COHN. Do you know what he did when he got out of the army?

Mr. KITTY. No, I don't. I met him once—I don't know whether during the war or right after the war—in a movie. I was with my wife, and he was with this fellow Berton, who was also in the YCL at Cooper Union.

Mr. COHN. What was his first name?

Mr. KITTY. Dave.

Mr. COHN. B-u-r-t-o-n?

Mr. KITTY. I think it is B-e-r-t-o-n.

Mr. COHN. What happened to him after the war?

Mr. KITTY. I don't know. I think he flunked out of school. I didn't know him in class. He was in a different class than I.

Mr. COHN. Who else can you recall?

Mr. KITTY. There was Bob, Dave Berton, Reno King, Hy Sigman. It was a rather small group.

I am not trying to be evasive here. We went to night school and we met very spasmodically about once a month. And the groups were very small. A lot of the guys that were members, I never saw. They just didn't come to meetings. I think there might have been between ten and twenty meetings. Sigman and I, of course, were rather close friends at the time.

Mr. COHN. Sigman is the one who went with the army engineers?

Mr. KITTY. That is right. And Sigman and Schumacher were in the same class.

Berton I remember because at one time he led the group.

There was a girl there from the art school, whose name I don't remember. And I can't honestly recall any more right now, Mr. Cohn.

Mr. COHN. Very well. Let me ask you this. Did you know Marcel Ullmann at all at Cooper Union?

Mr. KITTY. No—Oh, there was a Marcel something—I don't know whether his last name was Ullmann—no, Marcel Scherr. The first name rang a bell. The last name didn't.

Mr. COHN. You didn't know Marcel Ullmann at Cooper Union?

Mr. KITTY. No.

Mr. COHN. He was probably before your time. Alfred Sarant? Did you know him there?

Mr. KITTY. Yes.

Mr. COHN. Was he in this Young Communist League?

Mr. KITTY. No, he wasn't in the group I was in. Subsequently he told me he had been in the YCL.

Mr. COHN. Did you know Sarant was a Communist?

Mr. KITTY. When I met him? No.

Mr. COHN. Who was Sarant very friendly with at Cooper Union?

Mr. KITTY. He apparently was very friendly with Harvey Sachs.

Mr. COHN. How do you spell that?

Mr. KITTY. S-a-c-h-s.

Mr. COHN. What has happened with Harvey Sachs?

Mr. KITTY. May I explain how I met Sarant? I was on the school newspaper at the time, and he was active in the Fencing Club and used to come down to the offices of the school newspaper. And when I went to work at Camp Evans for Coleman's group—

Mr. COHN. Aaron Coleman's?

Mr. KITTY. Yes—Harvey Sachs was in the group. He was a field engineer at Westinghouse in Sunbury at the time. I was renting a small house in Belmar at the time and had a spare room. When he came back, in the summer of '43, we rented him a room.

Mr. COHN. Harvey S-a-c-h-s?

Mr. KITTY. That is right. Now, Harvey apparently was a classmate of Sarant's. I don't know this for sure, but he apparently knew Sarant. I didn't know Harvey at Cooper Union. He was in the day school, too. But he mentioned to me on one occasion, I think, that he knew Sarant, and I think he might have mentioned the fact that Sarant worked at the Signal Corps here at Monmouth. That is the extent of my knowledge about Sarant.

Mr. COHN. Do you know what Sachs did after he left for Signal Corps?

Mr. KITTY. Yes. He was drafted into the navy. I think it was in '44. And when he came out, he didn't go back to work for the government, but he started in a small business in Belmar with a fellow named Joe Risner.

Mr. COHN. R-i-s-n-e-r.

Mr. KITTY. Yes. And I think they were on Tenth Avenue in Belmar, right near the railroad station. And they were making television kits for RCA under RCA license.

Mr. COHN. Is he still there?

Mr. KITTY. I don't know.

Mr. COHN. Was he a Communist?

Mr. KITTY. I have never attended any meetings with him, Mr. Cohn, but the impression I had was that he had been a member of the YCL. I just wanted to make it clear; I didn't attend any meetings of this group.

Mr. COHN. Did you know Sarant down here?
 Mr. KITTY. No.
 Mr. COHN. Did you know Sachs down here?
 Mr. KITTY. Yes.
 Mr. COHN. Was Sachs friendly with Coleman?
 Mr. KITTY. He and Coleman were very friendly. I was friendly with Coleman, too.
 Mr. COHN. Did you meet Coleman for the first time down here?
 Mr. KITTY. Yes.
 Mr. COHN. Did you know Joseph Levitsky?
 Mr. KITTY. No.
 Mr. COHN. Now, when did you first meet Coleman? Down here?
 Mr. KITTY. Yes.
 Mr. COHN. That would be in 1943?
 Mr. KITTY. '42.
 Mr. COHN. 1942. And where was Coleman working then?
 Mr. KITTY. He was working at Camp Evans.
 Mr. COHN. In what section?
 Mr. KITTY. When I first came, I honestly don't know the section. There were an awful lot of people there. And I think when I came to work he was in Bermuda. He wasn't around. Ted Engberg was running the department.
 Mr. COHN. Then you got to know Coleman fairly well?
 Mr. KITTY. Yes, fairly well.
 Mr. COHN. Did there come a time when Coleman left to go to the marine corps?
 Mr. KITTY. Yes.
 Mr. COHN. About when was that?
 Mr. KITTY. It was early in '44.
 Mr. COHN. You had known him about a year or a year and a half or two years?
 Mr. KITTY. A little closer to a year. I didn't get to meet him until several months.
 Mr. COHN. Had you known him rather well?
 Mr. KITTY. Pretty well, yes.
 Mr. COHN. Who else would you say was in that clique?
 Mr. KITTY. We lived together with a couple of other guys. There was Jack Okun and Charlie Grossman. They shared rented rooms over in a place in Neptune with a Mrs. Frazee. They all lived together.
 Mr. COHN. That is Okun, Coleman——
 Mr. KITTY. And Grossman.
 Mr. COHN. What was Grossman's first name?
 Mr. KITTY. Charlie.
 Mr. COHN. And Murray Miller was there; right?
 Mr. KITTY. I think Murray moved in when Charlie went to the army.
 Mr. COHN. How do you spell "Frazee"?
 Mr. KITTY. I think it is F-r-a-z-e.
 Mr. COHN. This was down here; right?
 Mr. KITTY. Yes, this was in Neptune, New Jersey.
 Mr. COHN. Now, would you visit over at the place, and all that?
 Mr. KITTY. Yes.
 Mr. COHN. You were very friendly?

Mr. KITTY. Quite friendly.

Mr. COHN. Then in 1944, Coleman left and went into the marines?

Mr. KITTY. Right.

Mr. COHN. Now, let me ask you this: Did there ever come a time when Coleman asked you to send him any information from Evans Laboratory?

Mr. KITTY. Yes, there was a time.

Mr. COHN. Was that information classified?

Mr. KITTY. Yes, it was.

Mr. COHN. What was the classification? Do you recall?

Mr. KITTY. The classification, I would say, was in the bulk restricted and possibly there was some confidential material there, too.

Mr. COHN. Did that involve radar?

Mr. KITTY. Yes.

Mr. COHN. It did involve radar. Now, what, generally speaking? What particular phases of radar? I don't want to violate the classification—as a matter of fact, I think I will violate the classification. Can you tell us exactly?

Mr. KITTY. Yes. When I worked for Coleman, he was in charge of a group called the Air Force Equipment Group, and at one time it involved only the 270 equipment.

Mr. COHN. 270?

Mr. KITTY. Yes, SCR-270. That was the original army long-range early warning equipment. The way Evans was organized at the time, they had a new equipment group, and Coleman was running what was called the Contract Engineering Group.

Mr. COHN. I want to interrupt you for just one second. Within the time you knew Coleman at Evans, did he ever do any work on SCR-257?

Mr. KITTY. That number rings no bells in my memory.

Mr. COHN. I won't interrupt you. I will come back to that.

Mr. KITTY. Well, I worked with Coleman in this air force group. I worked for him. And the plan at Evans at that time was that they had a new equipment group which ran the things through development contracts. And personnel would be sent over from the production group over to the development group to follow the equipment, and then come back into the production group when the production contract was let. I was sent over on the project called the TPS-1, which was one of a group of lightweight early warning equipments which the army was developing for landing operations.

Then, after the job got into production, which was at Western Electric, I was transferred back into Coleman's group. At that time, there were a lot more sets, a lot more projects. And the marine corps got involved in this. They wanted the TPS-1's, but the equipment wasn't satisfactory enough for them, so they, I think, told Western Electric or Bell Lab that they wanted the new equipment developed which incorporated all the good things in the TPS-1 and some more things. It was called the TPS-1-B.

Now, the army had no direct cognizance of the TPS-1-B, but representatives of Camp Evans worked on what was called the steering committee, and Major or Colonel DeWitt was a member of the committee, and I would attend these meetings with him as his

technical aide. The TPS-1-B was scheduled to go to the marine corps, and it was about this equipment that I sent Coleman information.

Mr. COHN. The TPS-1?

Mr. KITTY. The TPS-1.

Mr. COHN. Now, when did he ask you for that information?

Mr. KITTY. I would like to explain something. And I am not trying to be evasive here.

Mr. COHN. That is all right.

Mr. KITTY. When I was first questioned about this thing, I honestly did not recall this, until letters that I had written were shown to me.

Mr. COHN. This is by the FBI?

Mr. KITTY. By the FBI, yes. And from looking at the dates of the letters, now, I know when it was. I think it was June 1944.

Mr. COHN. Did those letters contain drawings?

Mr. KITTY. I might have sketched some. I don't recall the letter. I don't recall the letter clearly.

Mr. COHN. Having refreshed your recollection, can you reconstruct the circumstances under which you sent this to Coleman?

Mr. KITTY. Yes.

Mr. COHN. Excuse me. I assume you did not initiate this. He asked you to send it; is that right?

Mr. KITTY. To the best of my recollection, that is correct. He may have asked me personally on one of his visits here, he may have asked me through Jack Okun, and he may have sent me a letter directly. I don't recall. But as I recall it, he wanted this information because he was scheduled to go out to the Pacific as a marine officer with radar groups, and he wanted advance information so that he could set up maintenance things or know something about the equipment.

Mr. COHN. That is what was told to you. Right?

Mr. KITTY. To the best of my recollection, Mr. Cohn.

Mr. COHN. And, of course, you would have no way of knowing what his actual purpose was?

Mr. KITTY. I would have no way of knowing. As far as I was concerned, my understanding was that that was what he was going to do with the information.

The CHAIRMAN. Was the information which you gave him restricted solely to equipment which the marine corps was scheduled to get, or did it involve other aspects of radar?

Mr. KITTY. To the best of my recollection, Senator, it was restricted to equipment the marines were scheduled to get.

The CHAIRMAN. Did the marines actually get that equipment later?

Mr. KITTY. The TPS-1-B, yes, sir. It became standard equipment in the Pacific.

Mr. COHN. Go ahead. We interrupted you. You said either through Okun or—

Mr. KITTY. It seems to me I not only wrote him a letter but also gave Okun something to send to him. What it was, I don't recall. Now, to the best of my recollection, Okun and he had been roommates, and Okun was sending him information.

Mr. COHN. Where was Okun working at that time?

Mr. KITTY. Camp Evans.

Mr. COHN. And was he working in the same section you were?

Mr. KITTY. Yes. He was an administrative employee.

The CHAIRMAN. Could I interrupt again?

You gave some material to Okun and you sent some directly to Coleman?

Mr. KITTY. Yes. I say, Senator, I believe I gave material to him.

Mr. COHN. Over how long a period of time did this continue?

Mr. KITTY. This may sound strange to you, but it was, I think, just one or two letters.

Mr. COHN. Did they all involve this one project?

Mr. KITTY. Any information I sent him did. He asked me for some other information, which I refused to send.

Mr. COHN. What other information did he ask you for?

Mr. KITTY. This is a rather involved thing. I was sent down from Camp Evans to be Signal Corps representatives in Baltimore at Westinghouse on a project known as the 784. The 784 is a light weight version of the 584, which is the standard army antiaircraft radar. And again I don't know whether he asked me through the medium of a letter or whether Okun asked me to get him an instruction book on the 584.

And now I am going back a number of years. To the best of my recollection, I told Okun, I said, "For God's sake, tell him to get it through channels." I did not send that information.

Mr. COHN. That was classified, too? Correct?

Mr. KITTY. I think it was classified restricted.

Mr. COHN. And you just made up your mind you were not going to send him any more information; that if he legitimately needed it, he could get it through his own outfit through channels?

Mr. KITTY. To the best of my information, that is the position I took.

Mr. COHN. And you were just not going to send him any?

Mr. KITTY. That is right.

Mr. COHN. Did you ever have any further conversations with Coleman or Okun about this information?

Mr. KITTY. Never any further conversation.

Mr. COHN. Did you see Coleman after he came back?

Mr. KITTY. No. I had forgotten about it.

Mr. COHN. I see. You never got hold of him and said, "What was this all about?"

Mr. KITTY. No. As far as I was concerned, I had sent him the information for his marine corps use, and I decided later on it was a pretty dumb thing to do.

Mr. COHN. And that was the last you heard of the thing until the FBI questioned you; is that right?

Mr. KITTY. That is right.

Mr. COHN. When did the FBI question you the first time about this?

Mr. KITTY. In '51.

Mr. COHN. That was about two years ago. Right?

Mr. KITTY. A little over two years ago.

Mr. COHN. And did they show you letters, or this one letter, with some sketches, which you had sent to Coleman, giving him some of this?

Mr. KITTY. They did.

Mr. COHN. And that refreshed your recollection on it?

Mr. KITTY. It certainly did.

Mr. COHN. And you gave the FBI as much information as you could?

Mr. KITTY. Yes, sir.

Mr. COHN. Is that right?

Mr. KITTY. That is right.

Mr. COHN. Did you furnish the information with any other information concerning the removal of classified material?

Mr. KITTY. No.

Mr. COHN. This was the only incident involving it?

Mr. KITTY. Yes.

Mr. COHN. Let me ask you this. Did you know that Coleman was a Communist?

Mr. KITTY. No, I did not. And to be perfectly honest with you, I don't know that now.

Mr. COHN. Did you ever discuss communism with him?

Mr. KITTY. No, I did not.

Mr. COHN. Just something where you had nothing to do on one way or the other; is that right?

Mr. KITTY. That is right.

Mr. COHN. Were you suspicious by virtue of his association with say, Harvey Sachs?

Mr. KITTY. No. As far as I knew, Harvey had left the thing, too. And, as a matter of fact, the only conversation that I ever recall hearing was an argument about the second front. And it seemed to me that I didn't say anything particularly in the argument. I just listened. And there was some disagreement, and it seemed to me that Coleman took the side opposing it.

Mr. COHN. Whom was the argument with?

Mr. KITTY. I think it was Harvey.

Mr. COHN. Did you say Sachs was out of it at that time?

Mr. KITTY. Out of what? The YCL?

Mr. COHN. Yes.

Mr. KITTY. To the best of my knowledge he was.

Mr. COHN. Do you know if Sachs ever went on and joined the Communist party?

Mr. KITTY. I don't know that.

Mr. COHN. When did you leave the YCL?

Mr. KITTY. I left in 1941.

Mr. COHN. Just became fed up with the thing?

Mr. KITTY. Oh, I got a job, and I was married, with a child on the way, and was interested in other things, and I can't say that I was overly enthusiastic about the whole program to begin with.

Mr. COHN. I want to ask you: While you were working with Coleman and from your knowledge of the work he did here, did he ever do any work on SCR-527 or 627?

Mr. KITTY. Oh, yes. That was in our group.

Mr. COHN. He did work on that?

Mr. KITTY. He was boss of the group that it was in. The project engineer on that was Ralph Board.

Mr. COHN. How do you spell his name?

Mr. KITTY. Board B-o-a-r-d.

Mr. COHN. What was Coleman's relationship to these projects?

Mr. KITTY. He was boss of the whole section.

Mr. COHN. When was this?

Mr. KITTY. '43.

Mr. COHN. This was in 1943. What was the classification of those sets? Do you recall?

Mr. KITTY. Most of those sets were restricted. Once they got put in production, they were restricted.

Mr. COHN. What were they before they were put in production?

Mr. KITTY. Usually confidential, when they would have a development contract.

Mr. COHN. Now, how about SCR-537?

Mr. KITTY. It doesn't ring any bell, sir.

Mr. COHN. How about PPN-10?

Mr. KITTY. By the nomenclature, that would be something that wouldn't be in our section.

Mr. COHN. APG-30?

Mr. KITTY. That wouldn't be in our section, with that nomenclature.

Mr. COHN. UPM-4?

Mr. KITTY. My recollection is that nomenclature like that would designate IFF equipment. I am not sure, though. We might have had some dealings with it, but it would be right across the hall.

Mr. COHN. Whose section would that have been in?

Mr. KITTY. Bernie Strouse's, S-t-r-o-u-s-e.

Mr. COHN. How about APB-10?

Mr. KITTY. No.

Mr. COHN. APN-57?

Mr. KITTY. No.

Mr. COHN. DPW-1?

Mr. KITTY. No.

Mr. COHN. CPN-E?

Mr. KITTY. CPN-5?

Mr. COHN. Did Coleman have anything to do with that?

Mr. KITTY. Number 5 wrong.

Mr. COHN. It looks like 3.

Mr. KITTY. CPN? Or CPS, Mr. Cohn?

The CHAIRMAN. That is CPN-3 and DPW-1.

Mr. KITTY. No. CPN—"N" would mean navigation equipment, and there was only one navigation set in the group at that time, and that was MPN-1. And when they made a transportable version of it, they called it, I think, a CPN something or other.

The CHAIRMAN. Could I interrupt, Roy?

Whose section would DPW-1 be in?

Mr. KITTY. I don't know, sir.

The CHAIRMAN. This is described as a Signal Corps set classified confidential, manufactured in 1947.

Mr. KITTY. I wouldn't know that, sir.

The CHAIRMAN. If we described it as follows, a radar—I will let you read it. This is the description of it.

I wonder if that would help you tell us what section it would be in?

Mr. KITTY. I am sorry. No.

The CHAIRMAN. You would not know?

Mr. KITTY. No, I would not know.

Mr. COHN. Mr. Kitty, were these SCR sets 527 and 627 some of the main projects?

Mr. KITTY. Yes.

Mr. COHN. Would that be one of the main projects Coleman was concerned with at that time?

Mr. KITTY. Yes.

Mr. COHN. Was any of the information you sent him concerning the 527 or 627? And use your recollection as refreshed by what the FBI showed you.

Mr. KITTY. I don't think I remember anything in the letters that had anything to do with the 527. But let me say this in all frankness. I might have.

The CHAIRMAN. When did you start work on the 527 and 627?

Mr. KITTY. That was one of the early sets, sir, a large set, five trucks to it.

Mr. COHN. Does the classification work roughly so that it will be high and it will go down as it goes into various steps of wider dissemination until the point where it is actually produced and sent out?

Mr. KITTY. I would say so, yes, sir.

Mr. COHN. And your recollection is that it was classified at the time?

Mr. KITTY. I would say so, sir.

The CHAIRMAN. Could I interrupt? In other words, following Roy's question here, let me ask the general. Is this roughly the picture? At the time of the inception of what appears to be a new idea, it is normally classified very highly. As you progress with it, as Roy has said, the classification may drop down a little?

Gen. LAWTON. Yes. And you try to keep it at least restricted or confidential on the battlefield, until you know the enemy has captured some of the equipment intact. And then it goes to zero.

The CHAIRMAN. The reason, I assume, for the high classification originally is that if the enemy got the plans in an early stage they could catch up to it.

Gen. LAWTON. Then they would be even with us. That is right. And it takes about five years from a new concept until you get the stuff on the battlefield. So you are that much ahead of them if you can keep it quiet.

The CHAIRMAN. So if they do not get it until we get it on the battlefield, they are that much behind.

Mr. COHN. I don't have anything more to ask. You know what we have covered, here, Mr. Kitty. Is there anything that we haven't covered that would be of value to us, you think?

Mr. KITTY. Well, only that I saw Coleman several times after the war.

The CHAIRMAN. Let me ask you this. First, when did you last work in the Signal Corps lab?

Mr. KITTY. 1945.

The CHAIRMAN. And you left there voluntarily?

Mr. KITTY. Yes.

The CHAIRMAN. And went to work where?

Mr. KITTY. At Bendix in Baltimore.

The CHAIRMAN. Did you ever have any reason to think that Coleman might be a member of the Communist party?

Mr. KITTY. No, sir, I did not.

The CHAIRMAN. You did not live with him yourself?

Mr. KITTY. No, I never did.

The CHAIRMAN. Did you know the Rosenbergs?

Mr. KITTY. I met Julius.

The CHAIRMAN. How well did you know him?

[Witness shakes head negatively.]

Mr. COHN. Where did you meet him?

Mr. KITTY. Shall I elaborate on this?

Mr. COHN. Sure.

Mr. KITTY. This fellow, Sigman, was a friend of mine. I won't say he was a chum, but Rosenberg and he were born on the same street.

Mr. COHN. What was Sigman's first name ?

Mr. KITTY. Hy.

Mr. COHN. Hyman Sigman, S-i-g-m-a-n?

Mr. KITTY. Yes. We worked on an NYA project in Woodhaven, Long Island. There was a fellow working there by the name of Pegarsky, who was apparently a good friend of Julius Rosenberg's. And, of course, we were only part-time employees, but sometimes our scheduled workdays coincided. We used to ride back to Manhattan on the train together. And sometimes in the conversations Julius Rosenberg would get into the conversation.

Mr. COHN. And what was Pegarsky's first name?

Mr. KITTY. Marcus.

Mr. COHN. Where did Pegarsky work?

Mr. KITTY. He worked with us at NYA.

Mr. COHN. National Youth Administration?

Mr. KITTY. National Youth Administration.

Mr. COHN. Did you know that Pagarsky was a Communist?

Mr. KITTY. Oh, I was pretty sure he was a member of the YCL.

Mr. COHN. Where did Pegarsky go after NYA?

Mr. KITTY. I don't know.

Mr. COHN. Pegarsky was one of Rosenberg's references for employment at the Signal Corps, Senator.

The CHAIRMAN. We have some information—I do not know whether it is accurate or not—to the effect that you attended meetings which were apparently Communist meetings, not closed meetings at all, as late as 1943 or early '44. As I say, I don't have any information that they were closed meetings, but they apparently were Communist meetings. Could you tell us in addition about that?

Mr. KITTY. There is another thing in my conversation with the FBI that I didn't recall. But subsequent to that, I do recall that some time during a stay with my mother, I went to the movies once, and she asked me to pick her up at an address on Second Avenue, and I got there, and there was somebody speaking. He was speaking about foreign policy. I think he was talking about Teheran. That would date the thing, whenever the Teheran agreement was made. It was immediately thereafter. I don't know whether that would be '43 or '44. But I do recall on one occasion picking my mother up there and driving her home.

The CHAIRMAN. And you didn't go to attend the meeting yourself?

Mr. KITTY. No, sir, I did not.

The CHAIRMAN. And that apparently was a Communist meeting, I gather. I do not want to go into your mother's activities, but just in so far as this meeting was concerned.

Mr. KITTY. Yes, sir.

The CHAIRMAN. Just one question. Is your mother living now?

Mr. KITTY. Yes, sir.

The CHAIRMAN. Now, that is the only Communist meeting that you are aware of having attended after you left the YCL?

Mr. KITTY. That is right, sir.

The CHAIRMAN. What other information did you give the FBI other than what you gave us here today? Anything about atomic work or anything like that?

Mr. KITTY. No, sir.

The CHAIRMAN. Can you think of anything you gave them that you did not give us here today?

Mr. KITTY. Well, that is a very difficult question to answer, because my period of questioning with the FBI was certainly longer than an hour, which we have spent here. And I am certain there is other information. They asked me about many, many more people than you have. They covered many, many areas. And in my security hearing, which lasted a complete day, there was a lot more ground covered, too.

The CHAIRMAN. Let me ask you this. And not referring to what you knew at the time, but using hindsight, knowing what you know today, do you think it is a safe assumption to say that the Rosenberg spy ring was operating within or extended into the Signal Corps. I am not talking about any definite proof you have, but just from the general knowledge you have, from the associations, knowing about Rosenberg, knowing about these men, and taking into consideration the information which has been made available since you knew them, would you say it is a safe assumption that the Rosenberg ring did extend into the Signal Corps?

Mr. KITTY. In view of the fact that Sobell, whom I didn't know, incidentally, was apparently convicted, was a member of this ring, and he was certainly involved in electronic work, in view of the fact that Sarant apparently is missing, I would say that based on hindsight, apparently something was going on.

The CHAIRMAN. I think that is all.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth the whole truth, and nothing but the truth, so help you God?

Mr. OKUN. I do.

Mr. COHN. Mr. Okun, of course, you have testified before the committee before. We called you back today because some things we feel were not disclosed in the course of the testimony. Let me ask you right now: Did you ever transmit or have any part in the transmittal of any classified information to persons not working for the army Signal Corps?

TESTIMONY OF JACK OKUN (RESUMED)

Mr. OKUN. No, sir.

Mr. COHN. You did not?

Mr. OKUN. I did not, sir. No, sir.

Mr. COHN. Did you ever send Aaron Coleman any classified information concerning any radar projects?

Mr. OKUN. I never sent him any classified information. I did send him some unclassified drawings of an antenna, a 270 antenna. But it wasn't classified.

Mr. COHN. Related to what set?

Mr. OKUN. 270, sir.

Mr. COHN. Set 270. Is that the only thing you ever sent him?

Mr. OKUN. Yes, sir.

Mr. COHN. Did you ever transmit to him any material which was given to you by Fred Kitty?

Mr. OKUN. No, sir.

Mr. COHN. You never sent Coleman any material which was given to you by Kitty to send to Coleman?

Mr. OKUN. No, sir.

Mr. COHN. Did Kitty ever give you anything to send Coleman?

Mr. OKUN. No, sir.

The CHAIRMAN. May I interrupt? Did Kitty ever give you any classified material?

Mr. OKUN. Well, we worked in the same section, sir. We may have passed classified information between us.

Mr. COHN. We are not talking about anything in the regular course of your business in the section. We are talking about material that has been sent to Coleman.

Mr. OKUN. No, sir.

Mr. COHN. Now, what did you send Coleman?

Mr. OKUN. I sent him mechanical drawings of the antenna structure, SCR-270, which was declassified.

Mr. COHN. Is that the only thing you ever sent him?

Mr. OKUN. Yes, sir.

Mr. COHN. On how many occasions did you send him such material?

Mr. OKUN. I believe just one, sir.

Mr. COHN. Did he ask you for it?

Mr. OKUN. Yes, he did.

Mr. COHN. Under what circumstances?

Mr. OKUN. He wrote me a letter from the South Pacific saying that he was a radar officer with 270 equipment and asked me whether I could locate some mechanical drawings for the antenna structure to help him erect the antenna, and I did.

Mr. COHN. And that was one letter?

Mr. OKUN. I believe so, sir. It might have been two, but I don't think so.

Mr. COHN. Did you ever have any discussion with Kitty about material being sent to Coleman?

Mr. OKUN. I don't believe so, sir.

Mr. COHN. Are you very sure of this?

Mr. OKUN. To the best of my knowledge, yes, sir.

Mr. COHN. Have you ever been questioned by the FBI about it?

Mr. OKUN. Yes, sir, I was. I gave them the very same story.

Mr. COHN. All right. Did they suggest to you that their information was that you had taken material which Kitty had given to you

and sent it on to Coleman involving SCR-527, SCR-627, and other projects?

Mr. OKUN. They didn't mention any equipments, but they asked me whether Mr. Kitty had given me any material to send to Mr. Coleman, and I said, "no, sir."

Mr. COHN. When did you terminate your service with the Signal Corps?

Mr. OKUN. I was transferred from the Signal Corps to the air force in 1945.

Mr. COHN. That was the Watson Laboratory?

Mr. OKUN. That is right.

Mr. COHN. When did you leave the Watson Laboratory?

Mr. OKUN. 1950, sir—no, excuse me. 1952, sir.

Mr. COHN. You were suspended at one time for loyalty and security reasons. Is that right?

Mr. OKUN. Yes, sir. And I was reinstated afterward.

Mr. COHN. You were reinstated, and you voluntarily resigned in 1950?

Mr. OKUN. In 1952.

Mr. COHN. I see. You were in there until last year?

Mr. OKUN. Excuse me. 1951, sir. I have been out for two years.

Mr. COHN. Now, you told us before the grounds of the suspension were your activities in a Communist-dominated union. Is that right?

Mr. OKUN. I gave you my association with the union, yes, sir.

Mr. COHN. Was there anything else?

Mr. OKUN. No, sir.

The CHAIRMAN. Letters of charges were served upon you. What were the charges?

Mr. OKUN. The charges were that I had been a member of the executive committee of this United Public Workers Union, and as such had associated with two individuals, and the course of the hearing disclosed that I was not a member of the executive committee, and as such didn't have any close association with these individuals, other than employment and union activities.

The CHAIRMAN. Who were the two individuals?

Mr. OKUN. Mr. Ullmann and Mr. Sockel.

Mr. COHN. That is Albert Sockel and Marcel Ullmann?

Mr. OKUN. Yes, sir.

The CHAIRMAN. Did you know that Ullmann was a Communist?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you ever have any reason to believe he was a Communist?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. When did you first learn that Ullmann was a Communist?

Mr. OKUN. I didn't know he was a Communist after I heard that he had been suspended. I heard that he had been suspended from the laboratories, and at that point my meager association with him ceased completely.

The CHAIRMAN. Where do you work now, sir?

Mr. OKUN. Track Telephone Division, sir.

The CHAIRMAN. We went into that last time. Do they have any government contracts over there?

Mr. OKUN. Yes, sir, air force, Signal Corps, and navy.

The CHAIRMAN. Are any of them classified?

Mr. OKUN. After you asked that question, I found two of our navy contracts may be classified.

The CHAIRMAN. Do you do any work on that?

Mr. OKUN. The ones we are working on now are all unclassified.

The CHAIRMAN. And there are two that might be coming up from the navy that might be classified?

Mr. OKUN. I think they are restricted. I have no definite information on that.

The CHAIRMAN. Did you live with Coleman?

Mr. OKUN. Yes, sir, I did.

The CHAIRMAN. I think we went into this the other day, so at the risk of being repetitious, I am going to ask you again.

Did Rosenberg ever live in the same apartment with you?

Mr. OKUN. No, sir. I never heard of Rosenberg in all my association with Coleman.

The CHAIRMAN. And Sobell?

Mr. OKUN. No, sir. The same holds for Mr. Sobell.

The CHAIRMAN. Did you know whether or not Coleman was contacting Sobell?

Mr. OKUN. I seriously doubt it. To the best of my knowledge, I would say definitely no.

The CHAIRMAN. You personally never met Sobell?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you know Greenblum?

Mr. OKUN. Carl Greenblum?

The CHAIRMAN. Yes.

Mr. OKUN. Yes, sir, I did in the last couple of years, I think I met him.

The CHAIRMAN. Did you share the car pool with Greenblum?

Mr. OKUN. No, sir, I did not. Excuse me, sir. I had left the air force, I think, when Mr. Greenblum was working for the Signal Corps. I never had any work directly with him at all.

The CHAIRMAN. And your testimony is that the only time you ever sent any classified material to anyone outside the laboratory was when you sent the drawings for the aerial for SCR-270 to Coleman?

Mr. OKUN. They were not classified, sir.

The CHAIRMAN. I know.

Mr. OKUN. I mean, the only time I sent any documents, it was those for the antenna structure of the 270.

The CHAIRMAN. And you say you never sent any classified material to anyone outside of the Signal Corps?

Mr. OKUN. That is right, sir.

Mr. COHN. Classified or unclassified, were you authorized to take Signal Corps documents and send them to somebody not working for the Signal Corps?

The CHAIRMAN. I may say, Mr. Cohn, that if it was not classified, there would be no restriction.

Then your testimony—and I may say this is in conflict with other testimony we have had—is that you never sent any classified material to anyone outside of the Signal Corps?

Mr. OKUN. That is correct, sir.

The CHAIRMAN. Did you know of anyone who was sending classified material outside the Signal Corps?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. Did you know that Kitty was sending classified material to Coleman?

Mr. OKUN. I did not know that, no, sir.

The CHAIRMAN. Did you know that Coleman had asked Kitty for material?

Mr. OKUN. I don't believe I do.

Mr. COHN. Do you have any doubt about it?

Mr. OKUN. Well, this happened a long time ago. He might conceivably have mentioned it to me, but I don't have any recollection of it.

The CHAIRMAN. Now, when you were living with Coleman, did you know that he was removing classified papers from the Signal Corps and keeping them in the apartment?

Mr. OKUN. I didn't know that, Senator. I knew that he had documents he was working with. He worked very hard on his subjects, and he took them home with him. I assumed he was doing his Signal Corps duties.

The CHAIRMAN. You lived with him in 1946?

Mr. OKUN. Yes, sir.

The CHAIRMAN. Did you live with him when the apartment was raided by army security?

Mr. OKUN. Senator, the apartment was not raided. He had been called and asked whether he would let them search it.

The CHAIRMAN. Were you there when he was called and asked if they could search it?

Mr. OKUN. No, he told me that. He told me he had given permission to search the apartment.

The CHAIRMAN. You seem to shy off at the word "raided." When the army security men go over and make a complete search of the apartment and find forty-three classified documents, to me that means "raided." You seem both today and the other day to be going out of your way trying to cover up for this man Coleman.

Mr. OKUN. No, sir. I do not want to cover up anything.

The CHAIRMAN. The question is: Do you know that he had forty-three secret documents?

Mr. OKUN. No, sir, I didn't know the classification of any of them. I knew he was working on material——

The CHAIRMAN. Did you know he had secret documents in the apartment?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. Did you know he had taken the documents from the marine corps, documents marked "secret," had taken them away from the marine corps without authority, and had them in his apartment?

Mr. OKUN. I did not know he had any classified documents, as such. I assumed he had permission for the documents he had.

The CHAIRMAN. Was there a typewriter in the apartment?

Mr. OKUN. No, sir there was no typewriter in the apartment.

The CHAIRMAN. I may tell you that Coleman has testified there was and that he copied some of those documents.

Mr. OKUN. I never saw a typewriter in the apartment, sir.

The CHAIRMAN. How big was that apartment?

Mr. OKUN. It was two and a half room apartment.

The CHAIRMAN. Now, if there was a typewriter there, wouldn't you know it?

Mr. OKUN. Mr. Coleman is not a typist. I don't know what he would have a typewriter for.

The CHAIRMAN. I am not asking you if he was a typist. If he had a typewriter there, would you know it?

Mr. OKUN. I believe I would, yes,

The CHAIRMAN. When Coleman testified there was, would you say he is lying?

Mr. OKUN. I would say I didn't know of it.

The CHAIRMAN. How many cameras in the apartment?

Mr. OKUN. We didn't have any cameras, sir.

The CHAIRMAN. Are you sure of that?

Mr. OKUN. Yes, sir.

The CHAIRMAN. That, again, is contrary to the other testimony.

Mr. OKUN. I can't help it.

The CHAIRMAN. You never saw any cameras there?

Mr. OKUN. I never saw any, sir.

The CHAIRMAN. And you say you never saw anything classified "secret"?

Mr. OKUN. No, sir, I did not.

The CHAIRMAN. You perhaps could shed some light on this for us.

Mr. OKUN. I would like to, sir.

The CHAIRMAN. Coleman and others have testified that he removed that material over a period of months, that he had the marine corps secret documents in the room at all times in 1946 until it was raided. Do you think it was hidden some place? Is that the reason you didn't see it?

Mr. OKUN. No, sir. I was not a technical man. Mr. Coleman was a technical man. I worked at Watson Laboratories. He was very careful, talking about his work, and I didn't want to interfere with his activities. I had no concern with it. I stayed away from it.

The CHAIRMAN. Who else lived in the apartment?

Mr. OKUN. Nobody lived in the apartment but us.

The CHAIRMAN. Just the two of you lived together?

Mr. OKUN. Yes, sir—This other chap, Mr. Sachs I think, stayed with us for a few months.

Mr. COHN. Was that Harvey Sachs?

Mr. OKUN. Yes, sir.

Mr. COHN. When was this?

Mr. OKUN. I don't recall exactly, but it was before Mr. Coleman left for the service in '44.

Mr. COHN. Did you know Sachs was a Communist?

Mr. OKUN. No, sir, I did not.

Mr. COHN. Did you ever talk politics with Sachs?

Mr. OKUN. We did have occasions to discuss a few instances.

The CHAIRMAN. Did he ever ask you to join either the Communist Party or the YCL?

Mr. OKUN. No, sir, he never did.

The CHAIRMAN. Did he ever ask you to attend any Communist meetings with him?

Mr. OKUN. No, sir.

The CHAIRMAN. And during all this time you had no suspicion that Sachs was a Communist?

Mr. OKUN. No, sir, I never did.

The CHAIRMAN. He never admitted he was a Communist?

Mr. OKUN. No, sir.

The CHAIRMAN. Did you know Levitsky?

Mr. OKUN. I never heard of the name, sir.

The CHAIRMAN. Sobell?

Mr. OKUN. I have heard of Sobell yes, sir.

The CHAIRMAN. Rosenberg?

Mr. OKUN. No, sir.

The CHAIRMAN. Julius Rosenberg?

Mr. OKUN. No, sir.

The CHAIRMAN. You never knew him?

Mr. OKUN. No, sir.

The CHAIRMAN. Did Coleman ever talk about his acquaintance with Rosenberg?

Mr. OKUN. No, sir, he never did.

Mr. COHN. I have nothing further.

The CHAIRMAN. I think that is all.

May I again tell you for your protection that your testimony is contrary to the testimony we have received. I am just telling you for your own protection, so that you will know this, as a courtesy to you as a witness and so that you can decide what, if anything, you want to do about it.

Your testimony is contrary to that of other witnesses who have testified.

Mr. OKUN. I am sorry, sir.

The CHAIRMAN. Either they have been perjuring themselves, or you have been. We intend to submit all this testimony to the Justice Department. It is up to them to present it to the grand jury and have the grand jury decide who is lying. Somebody has been lying, in a very serious matter here.

We have the testimony that you solicited classified material from other employees in the Signal Corps, that you were sending it to people outside the Signal Corps.

Mr. OKUN. That is not so, sir.

The CHAIRMAN. Either they are perjuring themselves in regard to you, which is a very serious crime, or you were perjuring yourself. It isn't up to me or to anybody in this room to decide who is guilty of perjury, but when someone is, we send it to the Justice Department.

I would say this: If you, after refreshing your recollection, discover that you made any mistakes here in your testimony and want to change it, contact counsel, and if he is convinced that you were honest about that, he will let you change your testimony.

Mr. OKUN. Very well, sir.

The CHAIRMAN. You understand this is not any blanket offer to let you purge yourself of perjury at any time in the future, but we know when witnesses come in here they have difficulty remembering what happened two or three years ago, and when they go home and think about it we try to lean over backwards to accommodate them.

That will be all.

Mr. OKUN. Thank you, sir.

The CHAIRMAN. I believe Mr. Coleman has been sworn, has he not?

You are reminded, Mr. Coleman, that you are still under oath.

Mr. Coleman, when you were not an employee of the Signal Corps, did you ever receive classified material from anyone in the Signal Corps?

**TESTIMONY OF AARON COLEMAN (ACCOMPANIED BY HIS
COUNSEL, RICHARD F. GREEN) (RESUMED)**

Mr. COLEMAN. I believe I received information from Mr. Okun.

The CHAIRMAN. I see. And the nature of that information was what?

Mr. COLEMAN. The nature of the information was in connection with the antenna system of the SCR-270 radar.

The CHAIRMAN. Did you receive any material on SCR-527?

Mr. COLEMAN. I don't remember receiving any such information. I may have.

The CHAIRMAN. Would you have had any occasion in your work to have requested information on SCR-527?

Mr. COLEMAN. I don't think so, but I don't remember.

The CHAIRMAN. Well, now, is it your testimony that you did not receive any material from anyone except from Okun?

Mr. COHN. On 270.

Mr. COLEMAN. Well, I would like to, if you will permit me-I would like to elaborate.

The CHAIRMAN. Certainly.

Mr. COLEMAN. I was questioned a few years ago about whether or not I received any information from Mr. Kitty, and I honestly gave the answer that I didn't remember. I said I may have, or I may not have. I went back to try to search my records to see if I had any record or any indication that I might have received any information from Mr. Kitty, and I couldn't find anything. And I honestly don't remember.

The CHAIRMAN. Did you have correspondence with Kitty when you were out of the Signal Corps?

Mr. COLEMAN. When I was in the marine corps, I believe I received a few letters from Mr. Kitty.

Then CHAIRMAN. Did you write to him?

Mr. COLEMAN. I think I did, yes.

The CHAIRMAN. Did you write and ask for classified material?

Mr. COLEMAN. I honestly do not recall. I don't remember.

The CHAIRMAN. You know something about the rules covering secret material. If you wrote to him and asked him for secret material or classified material, that would be something which normally would stick in your mind, wouldn't it?

Mr. COLEMAN. Well, I do remember asking Mr. Okun for information about the SCR-270.

Mr. COHN. Was that classified at the time?

Mr. COLEMAN. I don't really know. I think it was either restricted or confidential, but I am not sure. It was in that category.

The CHAIRMAN. Did anyone in the Justice Department ever inform you that they felt they had a complete espionage case against

you and the only reason you could not be prosecuted was because of the statute of limitations?

Mr. COLEMAN. No, sir, they didn't.

The CHAIRMAN. Did you know they were investigating you from the standpoint of presenting the material to the grand jury?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you know that the army intercepted secret material which was being sent you, material which you had requested?

Mr. COLEMAN. No, sir.

The CHAIRMAN. This is the first time you have heard that?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You were never questioned about material which army intelligence took out of the mail?

Mr. COLEMAN. No, sir.

The CHAIRMAN. You were never questioned about it?

Mr. COLEMAN. The only questioning that I remember was in connection with Mr. Kitty.

The CHAIRMAN. I see. And then would you say the only material which you ever got from the Signal Corps, when you yourself were working for the Signal Corps, was material having to do with the antenna on SCR-270?

Mr. COLEMAN. As I said before, I am sure in connection with the material as to the SCR-270 antenna, but I am not sure whether I received information of any other type. I mean, my memory—I really have tried to search my memory about this after I was last questioned by the FBI. I tried to see perhaps if I had any letters from Kitty that I might have saved, and I didn't find any.

The CHAIRMAN. Did you ever work on SCR-527?

Mr. COLEMAN. When I was in the Signal Corps, it was one of the radars which I was in charge of.

The CHAIRMAN. How about SCR-627?

Mr. COLEMAN. That also, I believe.

The CHAIRMAN. And did you ever take any classified material in regard to either SCR 527 or 627 out of the Signal Corps lab?

Mr. COLEMAN. I don't remember. I don't know.

The CHAIRMAN. You don't remember. Did you work on DPW 1?

Mr. COLEMAN. DPW 1? No, sir, I don't think so.

The CHAIRMAN. I am not a technician, so I will have some difficulty describing this to you, but as I read the description here it says: "a radar in the sonic band for airborne operation as an aiming device with a power output of .05 to 1.5 kw." That is the description of the DPW 1 as I have it here.

With your memory refreshed, would you say you ever worked on that?

Mr. COLEMAN. No, sir, I don't think so.

The CHAIRMAN. Do you know who the head of the department would be in which DPW 1 was being worked on?

Mr. COLEMAN. It sounds to me like something that would be in the Navigation and Beacon Section of the Radar Branch, but I am not sure.

The CHAIRMAN. Did you take any classified material in regard to this particular radar equipment away from the Signal Corps lab?

Mr. COLEMAN. To the best of my knowledge, I don't know.

The CHAIRMAN. When your apartment was raided by army intelligence, did they pick up any material covering DPW 1?

Mr. COLEMAN. I don't think so, Senator, but I would like to mention, as we agreed last time, that I don't think it is fair to say the apartment was raided.

The CHAIRMAN. Whether we call it "raided" or not, we know they were tipped off that you were removing secret material, that you were keeping it in your apartment, that they came over and demanded to be allowed to search the apartment, which they did. You may not call it being raided. We will call it "searched the apartment." At the time they searched the apartment, did they find any material covering DPW 1, if you know?

Mr. COLEMAN. I don't think so.

The CHAIRMAN. Did they give you a list of material which they found?

Mr. COLEMAN. I believe they did.

The CHAIRMAN. Do you have that?

Mr. COLEMAN. I have it but not here with me.

The CHAIRMAN. You will be ordered to produce that, then. Where do you live? In New York?

Mr. COLEMAN. No, I live in Long Branch, here.

The CHAIRMAN. And you are working, I assume?

Mr. COLEMAN. No, sir, I am not working.

The CHAIRMAN. I would like to have that, Roy. I don't want to run these witnesses back and forth to New York unnecessarily.

Then we will ask you to produce that after lunch. The lieutenant will arrange to have a car take you over.

Gen. LAWTON. Would you expand the question to all documents? Because I think there is some controversy. Some were unclassified.

The CHAIRMAN. All they took.

Mr. COHN. I don't know if the senator asked this, but what was the classification of 527 and 627 when you first saw them?

Mr. COLEMAN. I believe it was confidential, but I am not sure.

Mr. COHN. In other words, you think when it first hit you, when first you saw anything having to do with it, it was confidential; is that right?

Mr. COLEMAN. I think so, but I am not sure.

The CHAIRMAN. Could I ask you this question: Was the material which you received on SCR-270 from Okun classified?

Mr. COLEMAN. I think so. I think it was restricted or confidential, but I am not sure.

The CHAIRMAN. Now, did you keep a record of the classified material which you removed from the Signal Corps and kept in your

Mr. COLEMAN. The only record that I have was that copy which was given to me, that I referred to before.

The CHAIRMAN. The one which was given to you by army intelligence?

Mr. COLEMAN. That is right.

The CHAIRMAN. Now, didn't you keep a record yourself of the secret material which was removed, or the classified material?

Mr. COLEMAN. No. The material was removed, and it was checked in my presence, and a list was made and a copy was given to me.

The CHAIRMAN. No, I am talking about the time you removed the material from the Signal Corps lab and took it to your apartment. Did you at that time make any record of your having removed it?

Mr. COLEMAN. I don't think so, sir.

The CHAIRMAN. Didn't you sign some kind of a pass saying, "I am taking such and such a document away"?

Mr. COLEMAN. Yes, sir. I removed it with the authorization of a whiz pass.

The CHAIRMAN. And you signed that pass yourself?

Mr. COLEMAN. As well as my supervisor; that is right.

The CHAIRMAN. And did you keep a copy of that pass?

Mr. COLEMAN. I may have kept a copy of that pass for a while, but I don't have it now.

The CHAIRMAN. So that anyone searching the Signal Corps records would find a record of all the material you removed; is that correct?

Mr. COLEMAN. Well, if you will permit me to explain, I think there was more than one copy of a whiz pass made. One copy was given to the guard, one copy was for the individual, and one copy went to either the supply officer or the security officer. So there should be a record.

The CHAIRMAN. Who was the head of your department at the time you removed this material?

Mr. COLEMAN. Mr. Yamins.

The CHAIRMAN. One of the witnesses—I am not sure whether it was Mr. Yamins or not—who is in a position to know, has testified that during the war years there was no record kept of classified material which was removed by the individuals who had security clearance. He said that there was no pass to check it in, no pass to check it out. He said that the employees could freely take the material home to study it or do whatever they wanted to with it—or not do whatever they wanted with it but they could freely take it home with them to their apartments to study if they cared to. We asked him why that procedure was followed, and he said, "We were working sixteen to eighteen hours a day and didn't have time to worry about passes; all the people with passes had clearance, and we depended upon their judgment." You tell us now that this was not true, that you couldn't take material unless you signed the pass and your superior officer signed a pass. I am just wondering which one of you is mistaken or——

Mr. COLEMAN. I was referring to the period in 1946, after the war.

The CHAIRMAN. I see.

Mr. COLEMAN. I do not know what the procedure was in 1944 and '45, since I wasn't at the laboratories.

The CHAIRMAN. You were there in '43?

Mr. COLEMAN. I was there in '43. And I don't remember what the procedure was.

The CHAIRMAN. Did you remove material in '43, classified material?

Mr. COLEMAN. Yes, I took material home to work on it.

The CHAIRMAN. And did you sign a pass to take that material home?

Mr. COLEMAN. I don't remember, Senator.

The CHAIRMAN. You don't remember signing any pass. What was the classification of that material? How high, and how low?

Mr. COLEMAN. I think it was confidential and restricted.

The CHAIRMAN. Any secret material?

Mr. COLEMAN. I am not sure. I don't think so, but I am not sure, I remember one piece of material I was working on for several months. That sticks in my mind, because it was a single job. I think that was confidential, but I am not sure. It was an instruction book.

The CHAIRMAN. Your testimony today is that you have no knowledge at this time whatsoever of having received classified material from anyone except Okun, and that the material you received from him was restricted to information on SCR-270; is that correct?

Mr. COLEMAN. No, sir. I would like to elaborate on that; to the best of my knowledge, I received information from Mr. Okun which may have been restricted and confidential. This is as best I can remember. As I said before, I do not know, I do not remember, whether I received information from Mr. Kitty. Since I did have correspondence with him, I may have received information from him. So I do not remember. I cannot say definitely one way or the other.

The CHAIRMAN. Then let us see if I have this correctly in mind. Your testimony is that you do not remember having gotten anything from Kitty; is that correct? You say you do not remember having received any classified material from Kitty while you were not working in the Signal Corps lab?

Mr. COLEMAN. I mean I don't have any recollection of the situation. I think it is possible that I did, but I don't remember. I cannot say definitely one way or the other.

The CHAIRMAN. My question is: Do you remember having received any?

Mr. COLEMAN. No, I don't remember.

Mr. COHN. You would recall if you received classified material, would you not, on 527 and 627?

Mr. COLEMAN. Well, if you will permit me, I would just like to make one explanation. When I went into the marine corps I spent two months at a radar school at Camp Lejeune. And I studied, I believe, about ten different radars; some of them for the first time, and others I had known about at the laboratories.

Mr. COHN. The question is this, Mr. Coleman. If you had asked someone working at Evans Lab to send you classified material which he had no right to and which you had no right to receive, you would remember that, would you not?

Mr. COLEMAN. I believe that I, having a secret clearance, had a right to see that material if it was on my job. So I didn't consider at that time that I was violating security regulations.

Mr. COHN. You mean you had a right to see it by asking somebody working there, and not going through channels?

Mr. COLEMAN. No, sir, I am not saying that.

The CHAIRMAN. Let me ask you this, Mr. Coleman. Do you know now that if you did write and ask someone in the Signal Corps lab to send you confidential or secret material, you would have been asking them to violate the espionage act? Are you aware of that now?

Mr. COLEMAN. No. I am not sure.

The CHAIRMAN. In other words, you think that you could do that, and that would be no violation?

Mr. COLEMAN. I don't know, Senator. I really don't know.

The CHAIRMAN. Well, now, you have been cleared to handle secret material. You have been working on classified material until a short time ago. You should know something about the regulations. Let me ask you this. Do you feel that if someone in the Signal Corps lab were to send someone outside of the Signal Corps lab classified material, secret material, confidential material, that that would be a violation of the Espionage Act?

Mr. COLEMAN. Well, if you send the material to someone who is authorized to receive it, through channels—

The CHAIRMAN. I am not speaking about through channels. I am speaking about private mail. Let us forget about your case. Let us take a hypothetical case. Let us assume that John Jones, who was working in the Signal Corps, sends classified material to Pete Smith, who is working in the marine corps. The request for it is not made through channels. The request for it is made by private letter. The material is sent not through channels but by private letter. Knowing what you do about the rules and regulations, would you say that that was a violation of the Espionage Act on the part of the sender of the material?

Mr. COLEMAN. I know it is in violation of the security regulations, but I am not sure that it is a violation of the Espionage Act.

The CHAIRMAN. You think it would be a violation of security regulations?

Mr. COLEMAN. Yes, I believe it would be a violation of security regulations on the part of the sender.

The CHAIRMAN. And how about the man who received it? Would you say he was violating any security regulations?

Mr. COLEMAN. If he had a security clearance and was working on that same material, the particular material in question, I don't know what regulation he would be violating. He may have been violating a security regulation, but I don't know which one he might be violating.

The CHAIRMAN. You never have been aware of the fact that the army opened your mail and removed classified material that was being sent you from the Signal Corps lab?

Mr. COLEMAN. No, sir, I have never been aware of that fact.

The CHAIRMAN. When I say "the army," I should say "the military." Were you ever told that the military had opened your mail and had found classified material in the mail addressed to you?

Mr. COLEMAN. No, sir. The only information—

The CHAIRMAN. I am just asking you the question. The answer is "no"? Is the answer "no"?

Mr. COLEMAN. With one exception, if you will permit me to state the exception.

The CHAIRMAN. All right.

Mr. COLEMAN. The FBI indicated to me that they had a letter either that I had written to Kitty or that Kitty had written to me. With that exception, the answer is no.

Mr. COHN. Did you ever ask Kitty to send you a radar manual that he refused to send?

Mr. COLEMAN. I don't have any recollection of such a request.

Mr. COHN. Now, if you had asked somebody to send you something, and he had refused to do it, telling you he had asked you to violate security regulations, you would remember that, wouldn't you?

Mr. COLEMAN. I would think I would, yes.

The CHAIRMAN. I would think you would, too.

I think we will want him back when we get the material from the Justice Department.

Mr. Coleman, I do not ordinarily advise a witness when they have an attorney here, and your attorney can advise you contrary to that if he cares to, but you are not dealing with a bunch of school boys here. We have very good reason to call you back and ask you all of these questions, and I would advise you for your own protection that you decide to tell us the truth and give us all of the facts. You are not doing that now. You see, any man with ordinary common sense knows that if a man who is dealing with secret and top secret material requests someone to violate the security rules and regulations and send him secret material, and he has been getting that through the mail to the extent that the military starts to check his mail and knows the material being sent to him and keeps a record of it, your memory is not so bad that you forget that. It is a pretty serious matter. We have the direct testimony here that means that either you are lying or the other witnesses are per-juring themselves. Your case will be submitted to the Justice Department with a recommendation that it go to the grand jury, unless you do what some of the other witnesses have done here. After first coming in and doing the type of stalling job that you have done, some of them have changed their minds and given us all the facts.

If you do that, while I cannot promise you any immunity from prosecution, we certainly would recommend that anyone who is helpful in exposing this bad situation be given due consideration for it.

I just want to tell you, Mister, that you are in a lot of trouble right now. So you had better go home and think that over and talk it over with your counsel. And we will tell them to give you transportation to go home and pick up that list of material which you were ordered to produce; that and any other papers bearing upon this material which you removed from the Signal Corps lab which you have, any notes which you made, any passes which you have, copies of letters of charges; everything which you have bearing upon the Signal Corps lab you will be ordered to produce. It is quarter of one now. How soon could you get back?

Mr. COLEMAN. If you give me time for lunch, I suppose we could be back—

The CHAIRMAN. No particular rush. Two o'clock? Two-thirty? What time?

Mr. COLEMAN. Two-thirty will be all right.

The CHAIRMAN. Two-thirty will be okay.

The lieutenant will furnish you transportation,

Have the record show that counsel has suggested some questions which I think are proper and which I will now ask the witness.

Mr. Coleman, it is your testimony that you received no material of any kind from the Evans Signal Corps lab except when you were either in the lab or working in the marine corps on the type of radar equipment about which you were receiving this information?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. In other words, you only received material having to do with the work which you were doing in some other branch of the government or the military?

Mr. COLEMAN. Yes, sir. It was associated in one way or another with my work.

The CHAIRMAN. Does that cover it?

Mr. GREEN. Thank you, Senator. Yes.

[Whereupon, at 12:50 p.m., a recess was taken until 2:30 p.m.]

**TESTIMONY OF AARON COLEMAN (ACCOMPANIED BY HIS
COUNSEL, RICHARD F. GREEN) (RESUMED)**

The CHAIRMAN. Mr. Coleman, you are reminded that you are still under oath.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You were asked to give us a description of the secret documents, the classified documents, found in your apartment when it was searched by military intelligence. You now hand me a document marked FMSI 27 September 1946. Do I understand this is a listing of all the classified material found in your apartment when it was searched by army intelligence?

Mr. COLEMAN. It is a list of all the material, sir, classified and unclassified.

Mr. COHN. Mr. Coleman, while the senator is looking at that, there are a couple of background questions we wanted to clear up. You sent the committee, I believe, something stating the location and date of your parents' birth; is that correct?

Mr. COLEMAN. That is right.

Mr. COHN. Your mother's full name is what?

Mr. COLEMAN. Sarah Bella Pelts, P-e-l-t-s.

Mr. COHN. And your father's name?

Mr. COLEMAN. I would like to give you the full story on that, if I may. When he entered the country, his name was Harry Coleman, but he told me afterwards that in England his brother and his name had been Kalmanovitch. K-a-l-m-a-n-o-v-i-t-c-h.

Mr. COHN. When was this change from Kalmanovitch to Coleman effective?

Mr. COLEMAN. He told me his brother had effected it in England several years before he entered the country, which would be around 1899 or 1900. And when he found out that his brother had changed his name, he, too, changed his name to Coleman. And when he entered the United States, he entered in 1902 as Harry Coleman. This is the story he told me.

Mr. COHN. I see.

Mr. COLEMAN. Now, I would like to make some amendments of my testimony.

The CHAIRMAN. Before I start asking any questions on this, I think you should make your amendments.

Mr. COLEMAN. The correction I was referring to is that Mr. Schine asked me a question, "Do you know Louis Kaplan?" I an-

swered "I do not." And I was referring to the Louis Kaplan who was reported as having been a Communist, and who worked in one of the agencies here during the war, and who occasionally has written letters to the editor in the local papers. I assumed that is the individual to whom he was referring, and I answered, "I do not know." But I know of another Louis Kaplan who worked at Evans, until February, anyway, who I met once in the cafeteria, and he told me he had a great deal of difficulty, because his name was the same as that of the other individual.

Mr. COHN. When did this conversation in the cafeteria occur?

Mr. COLEMAN. It occurred at least two years ago, because I haven't been at Evans for that period of time, sometime two or three years ago. I hadn't met the individual before. I was introduced to him at the cafeteria once.

The CHAIRMAN. Let me ask you some questions. Will you describe what this document contains, the one you handed me? That is entitled "Fort Monmouth, Statement of Aaron H. Coleman, Badge 12938, Evans Signal Corps Laboratory, Belmar, New Jersey," and is dated 27 September 1946. Is this your statement?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And when have you examined this last?

Mr. COLEMAN. I read it just before I came here.

The CHAIRMAN. Were you telling the truth when you gave this statement?

Mr. COLEMAN. To the best of my knowledge, yes, sir.

The CHAIRMAN. All right. Now, you told us several times, both this morning and over in New York, that every time you got a classified document from the Signal Corps laboratory, you signed out for it. You were very positive about that. I asked you several times, "Are you sure, Mr. Coleman?" I suggested to you that it was contrary to the other evidence, and you repeatedly said, "Yes, that is true. I signed for everything I got from the Signal Corps laboratory." Do you want to change that testimony as of today, or do you want to stick to that?

Mr. COLEMAN. I would like to elaborate it, if I may. The testimony is the same. I am not changing my answer as I understood it from your question, but I would like to tell the whole story if I may be given the opportunity.

The CHAIRMAN. I would like to have you tell the whole story.

Mr. COLEMAN. In there, any reference to signing is signing internally; namely, when a document would come into my possession internally, it could come into my possession in a number of different ways. It could come into the section through mail and would be signed by someone other than myself, or by a girl, or by me. It could be given to me personally, and I would sign a receipt for it. And sometimes you didn't sign a receipt for it, depending on the nature of the material.

For example, it is my understanding that internally, confidential material didn't need a receipt. So all the references to those questions are internal signing. But the answers that I gave to you and I still give are that in removing them physically from the Evans Signal Laboratory, I signed out with a whiz pass, in which I lifted the documents that I was removing from the laboratory.

The CHAIRMAN. Let us go over this, then, one by one. Let's take Radar Bulletin No. 3, "Radar Operations Manual" classified confidential. "I got it while in the service. I don't remember if it was issued to me."

You say you signed out for that?

Mr. COLEMAN. I don't remember.

The CHAIRMAN. Well, you told me the other day you signed out for everything.

Mr. COLEMAN. I said that when I removed material from the Evans Signal Laboratory, I signed out a whiz pass. In order to get it outside of the laboratory, I had to have a whiz pass. And this reference is to signing for it while receiving it in the service or while at Evans.

The CHAIRMAN. In other words, you say your answer would not apply to this one, because you got this while in the service; is that right?

Mr. COLEMAN. No, sir, I say the answer does not apply to it, because it is not in connection with removing the document from the physical environment of Evans Signal Laboratory.

The CHAIRMAN. All right. Let's go on to one that does. Close Cooperation Set No. 00125, entitled "secret"; let me stop there and ask you what your understanding of "secret" is.

Mr. COLEMAN. You mean the classification secret?

The CHAIRMAN. Yes.

Mr. COLEMAN. It means a document which contains information that might harm the national security if it were revealed to an enemy.

The CHAIRMAN. Now, you say, "I don't remember how I got it. I got it recently. I may have signed for it or received it from someone in Watson Lab. I do not know how it came in my possession."

Now, is it your testimony that this is correct? Or is it correct as you say now, that you did sign a pass for this countersigned by someone else in the lab?

Mr. COLEMAN. I don't remember about that document.

The CHAIRMAN. You don't remember. The other day you told us positively. And I said, "Mr. Coleman, be careful. This is in direct conflict with other testimony." I said, "Someone is perjuring himself." And you said, "I signed out for everything. I signed the pass. The pass was countersigned." I ask you now: Was that testimony true, or not, at that time?

Mr. COLEMAN. To the best of my knowledge, it is true, it is still true. I mean, I am testifying everything I know.

The CHAIRMAN. All right. In 1946, you said, "I don't know where I got it." Now you say, "I signed out for it."

Mr. COLEMAN. I am trying to differentiate between signing out for it and signing which involved signing on a whiz pass to take it out of Evans.

The CHAIRMAN. You say, "I don't remember where I got it."

Mr. COLEMAN. I don't remember where I got it internally. I don't remember how it came into my possession.

The CHAIRMAN. You say, "I may have gotten it from someone at Watson Lab."

Mr. COLEMAN. I may have. I don't remember.

The CHAIRMAN. Do you mean you signed out for it in Watson Lab?

Mr. COLEMAN. I don't remember the circumstances.

The CHAIRMAN. The other day you said you signed out for it at Evans Lab.

Mr. COLEMAN. Sir, I would like to go over this.

The CHAIRMAN. Let me make a suggestion, Mr. Coleman. You have been giving us evidence that is in direct contradiction to that of a sizable number of other witnesses. One of the bad things about not telling the truth—I am not accusing you of not telling the truth, but it appears that you are not—is that very few people have a memory good enough to lie.

Mr. COLEMAN. That is true.

The CHAIRMAN. I suggest, if you were not telling the truth the other day, that you tell us about it.

Mr. COLEMAN. I would like to tell you the truth, and I am telling you the truth. There is a large number of documents involved. If I could remember every one of them, I think you should doubt my veracity, because I do not have that kind of memory, and I don't know anyone who does. I am telling the truth to the best of my knowledge. I can't remember all the documents. Probably—I don't know—a large number of documents pass through my hands. I can't remember every one of them.

The CHAIRMAN. All right. Let's ask you this. Another one entitled "Sitting-In Maintenance," marked "confidential": "I got it before I went into the service. I don't remember, sometime between 1942 and '43. I got it at Belmar. I do not remember if I signed for it." Now, is that true? Do you remember whether you signed for it?

Mr. COLEMAN. What the term "signed for it" means is whether I signed a receipt to someone else inside the laboratory.

The CHAIRMAN. Do you mean that when you told us the other day you signed for everything, when you told army intelligence that you don't remember whether you signed, you were using "signed" with a different understanding of what "signed for" meant?

Mr. COLEMAN. No, sir. Would you give me an opportunity to just explain?

The CHAIRMAN. First, will you answer this: Did you get this at Belmar Lab?

Mr. COLEMAN. I don't know.

The CHAIRMAN. You say here, "I got it at Belmar."

Mr. COLEMAN. Well, if I said it, it must be so. That is the best of my recollection.

The CHAIRMAN. All right. This is a pretty serious matter. You are accused of espionage. The Justice Department says they have an espionage case against you, but the statute of limitations has run out. Your apartment was searched, and these things were found. You don't forget these things, Mr. Coleman. You say you got it at Belmar. That is a positive statement. Can you tell us what you did when you removed it from Belmar, where it went? Did it go through someone else's hands?

Mr. COLEMAN. It did not go through someone else's hands.

The CHAIRMAN. Where did it go, then?

Mr. COLEMAN. I can't remember.

The CHAIRMAN. Did you bring it into the Signal lab at Evans?

Mr. COLEMAN. I don't know. I can't remember.

The CHAIRMAN. How could you tell us the other day, then, that you knew positively? I tried to protect you on that. I said, "Mr. Coleman, you didn't sign for all of this at Evans." And you swore you signed for everything out of Evans. Is it true now that this document you didn't sign out of Evans? It is a confidential document.

Mr. COLEMAN. I would like to make one amendment to what I just said.

The CHAIRMAN. You may.

Mr. COLEMAN. I stated to the best of my recollection that the documents that came from Evans I signed out with a whiz pass. Now, there are some documents there that are personal notes of mine. If it came from Evans—I don't think it did—it was done at my apartment. For example, there is a document there stating "notes taken on ultrahigh frequency case at Red Bank." I didn't take that from Evans. I didn't sign that out, because it was my own personal property.

One other, please.

The CHAIRMAN. Certainly.

Mr. COLEMAN. There are some manuals shown there, ordnance manuals, which were unclassified at the time.

The CHAIRMAN. I am not talking about unclassified. Let us stick to the secret and confidential.

Mr. COLEMAN. The statement I am making is that those documents from Evans which I removed from Evans in 1946 were removed with a whiz pass, because the regulations at that time required the use of a whiz pass. This is to the best of my memory. I cannot remember all of the documents. I cannot pinpoint every one and say, "On January the 23rd at three-thirty a.m., I took it out." I can't remember that.

The CHAIRMAN. Let's get back to your testimony of the other day. At that time you were asked whether you removed classified material from any lab other than Evans. Do you remember that?

Mr. COLEMAN. I don't recall.

The CHAIRMAN. And you said yes, you kept some from the marine corps, about ten.

Mr. COLEMAN. I don't remember the exact testimony, sir.

The CHAIRMAN. You may want to examine that testimony.

Mr. COLEMAN. If you will show it to me.

The CHAIRMAN. I want to ask you now: Did you remove secret material from any lab other than Evans?

Mr. COLEMAN. I don't remember.

The CHAIRMAN. You don't remember. All right. Let's refresh your recollection. "Technical Report Norge-E-9-1. February 24, 1943, subject: Translation of the Military Requirements of Range in the Technical Specifications for Radar. Secret."

Here is your comment: "It is hard to say where I got it. Sometime in 1943. Probably before I went in the service, and at the end of 1943. I don't know if I signed for it."

Do you want to comment on that?

Mr. COLEMAN. The only comment I have to make is that of those documents that I removed from Evans in 1946, I signed out for them with a whiz pass. About the documents that I got during the

war, I don't know what the procedure was or what happened in connection with them.

The CHAIRMAN. Who gave you the document from Belmar Lab? You were not working there.

Mr. COLEMAN. Which one, sir?

The CHAIRMAN. Well, did you get any from Belmar Lab?

Mr. COLEMAN. I don't remember. I was working at Belmar Lab up until the end of 1943 and January 1944.

The CHAIRMAN. Did you steal any secrets from Belmar Lab?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. Well, now, you say here you did.

Mr. COLEMAN. I don't believe that says that I stole any secrets.

The CHAIRMAN. Well, you took them. You had no right to them. Let's not use the word "steal," then. Did you take any secret documents from Belmar Lab?

Mr. COLEMAN. I followed whatever the regulations were.

The CHAIRMAN. Did you take any documents from Belmar?

Mr. COLEMAN. I removed documents from Belmar in accordance with the regulations.

The CHAIRMAN. Did you remove secret documents?

Mr. COLEMAN. I don't remember what classification they were.

The CHAIRMAN. Well, in 1946, when you say you removed secret documents, were you telling the truth?

Mr. COLEMAN. If at that time—I was telling the truth.

The CHAIRMAN. Not "if." You said you read this over?

Mr. COLEMAN. Yes.

The CHAIRMAN. Was this the truth?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Do you know of any regulation which allowed you to remove secrets from Belmar Lab? Do you know of any regulation which allowed you to remove secrets from Belmar Lab without violating the espionage statute?

Mr. COLEMAN. At what time are you referring to?

The CHAIRMAN. At any time. Do you know of any time when the regulations allowed you, Mr. Coleman, to remove secrets from Belmar Lab, keep them, never return them? Do you know of any regulation which allowed you to do that?

Mr. COLEMAN. I know only of regulations that allowed me to remove it—

The CHAIRMAN. Will you listen to me? Do you know of any regulation which allowed you to take secret material from Belmar Lab, take it away, never return it to Belmar Lab? Do you know of any regulation which allowed you to do that without violating the Espionage Act?

Mr. COLEMAN. I don't know of any regulation. But I don't know whether it involves the Espionage Act or not. I am not a lawyer, and I can't say. All I agree—I don't know of any regulation that permits you to remove the documents and keep them for an extended period of time.

The CHAIRMAN. So you know now you were violating the Espionage Act, don't you?

Mr. COLEMAN. I don't know that was violating the Espionage Act. If you tell me it is—

The CHAIRMAN. Who in Watson Lab gave you the secret document? Just so there is no question about the fact that you stated that someone did, let us let you read this. Can you read No. 6? "Close cooperation Set No. 00125. Secret." Your statement: "I don't remember how I got it. I got it recently." That would be in 1946, would it not? "I may have signed for it or received it from someone in Watson Lab. I do not know how it came in my possession." Can you tell us who in Watson Lab gave it to you?

Mr. COLEMAN. It could be two or three people.

The CHAIRMAN. All right. Who are the two or three people?

Mr. COLEMAN. There was one man by the name of Cornell.

The CHAIRMAN. Cornell. What is his first name?

Mr. COLEMAN. Les, I think.

The CHAIRMAN. Les Cornell. Who are the other two?

Mr. COLEMAN. It could be Peter Rosmovsky.

The CHAIRMAN. Was Peter Rosmovsky a member of the YCL?

Mr. COLEMAN. I don't know.

The CHAIRMAN. Who is the third man?

Mr. COLEMAN. It could be Albert S. White.

The CHAIRMAN. Anybody else?

Mr. COLEMAN. That is all I can think of right now.

The CHAIRMAN. It had to be one of those three people?

Mr. COLEMAN. I don't know if it had to be. Those are the people I had contact with at that time and who might know something about that.

The CHAIRMAN. All right. You say, "I got it recently." By, "recently," what would you say you had in mind? The day of the search was October 1946. By "recently," you must have meant 1946.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You got through telling us everything you got there you must have signed out for. Do you want to correct that?

Mr. COLEMAN. I don't remember the circumstances of this.

The CHAIRMAN. You cannot say you signed out for this?

Mr. COLEMAN. As I indicated here, I may have signed it or received it from—

The CHAIRMAN. Mr. Coleman, somebody in Watson Lab was guilty of violating the Espionage Act. You know that. You know who you got that from. You don't handle secret documents that easily.

Mr. COLEMAN. I think it was one of these three people, but I am not sure. I don't know who it was.

The CHAIRMAN. You don't know who gave it to you?

Mr. COLEMAN. No.

The CHAIRMAN. Did you go over there and get it, or did they mail it to you?

Mr. COHN. Did all three of those give you material on one occasion or another?

The CHAIRMAN. Do not shake your head. The reporter can not see you shake your head.

Mr. COLEMAN. I think they could have. I am not sure whether they did or did not.

Mr. COHN. Was this a practice at the lab to walk out with secret documents so that you could keep them in your home for a couple of years?

Mr. COLEMAN. No. I don't think that was a practice. I think you could go to a laboratory. If you were physically there, you could sign a receipt for it.

Mr. COHN. Was Watson Laboratory at that time part of the Signal Corps, or part of the air force?

Mr. COLEMAN. It was part of the air force.

Mr. COHN. You weren't even working for the air force; is that right?

Mr. COLEMAN. That is correct.

Mr. COHN. You were working for the Signal Corps?

Mr. COLEMAN. Right.

Mr. COHN. Could someone working for the air force at Watson Lab sign out for documents marked "secret," take them, give them to someone in the Signal Corps with authority to take them and keep them in his home? That is something new to me. Maybe it was a fact.

Mr. COLEMAN. You could go into Watson Laboratories, and you could receive a document, sign for it, and then take it and remove it to your own location at Evans or some other laboratory.

Mr. COHN. Could you get documents from Watson Lab yourself, secret documents?

Mr. COLEMAN. As I described, you could if you were physically——

Mr. COHN. Could you?

Mr. COLEMAN. Yes, sir.

Mr. COHN. You, not working for the air force and not working in Watson Lab, could go to Watson Lab and get a secret document and take it home with their permission?

Mr. COLEMAN. By signing a receipt for it, I would have the authority to remove it from Watson Lab.

Mr. COHN. Did you ever do that?

Mr. COLEMAN. I don't remember. I may have. I don't remember exactly the circumstances. I may have, for example, on that document, but I don't remember.

The CHAIRMAN. You named three people who might have given you secret documents. Do you recall that any of them ever did give you secret documents?

Mr. COLEMAN. I don't recall any specific instance. This may have been a specific instance.

Mr. COHN. Was the traffic in these secret documents so heavy that you just don't recall whether people were walking in and out handing you secret documents which you kept in your house?

I have looked at this definition of secret here, and it is pretty imposing, and I assume they didn't go around classifying this stuff for nothing. It is just inconceivable——

Mr. COLEMAN. There were probably hundreds of documents of that classification.

Mr. COHN. I don't doubt it.

Mr. COLEMAN. A large number of them. And it is highly unlikely to remember one particular document.

The CHAIRMAN. Let me ask you this. This document entitled "Close Cooperation"—what was that about?

Mr. COLEMAN. I think it is about an SCR-584 radio set.

The CHAIRMAN. 584. Do you know that the information from the German technician who left East Germany and went into Western Germany concerns this particular set?

Mr. COLEMAN. No, sir, I did not.

The CHAIRMAN. You kept this document in your apartment?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You were living with a Communist at that time, were you?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Whom were you living with?

Mr. COLEMAN. Mr. Okun.

The CHAIRMAN. Did Ullmann have access to your apartment?

Mr. COLEMAN. No, sir, not that I know of.

The CHAIRMAN. You were not living with Rosenberg at that time?

Mr. COLEMAN. No, sir, I never lived with Rosenberg.

The CHAIRMAN. Did you ever take secret material from Belmar Lab?

Mr. COLEMAN. I removed secret material, as I have previously described.

The CHAIRMAN. Did you ever remove secret material from Belmar Lab?

Mr. COLEMAN. Yes.

The CHAIRMAN. You did. Were you working in Belmar at the time?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You were working in Belmar. You were, you say.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Where is Belmar located?

Mr. COLEMAN. It is located in New Jersey, in Wall Township.

The CHAIRMAN. How far from here?

Mr. COLEMAN. About ten or fifteen miles.

The CHAIRMAN. When did you work in Belmar?

Mr. COLEMAN. I worked in Belmar from 1942 until '43.

The CHAIRMAN. Did you ever work at Watson Lab?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Where is Watson located?

Mr. COLEMAN. Watson is located at Eatontown, New Jersey.

The CHAIRMAN. How far from here is that?

Mr. COLEMAN. It is a few miles from here.

The CHAIRMAN. And did you visit Watson Lab?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. How often?

Mr. COLEMAN. At that time, maybe once a month, maybe twice a month.

The CHAIRMAN. Do you remember ever getting secret material from Watson Lab?

Mr. COLEMAN. I believe I may have gotten it. I don't remember specifically.

The CHAIRMAN. The question is: Do you remember going over and picking up secret material and bringing it back to your apartment?

Mr. COLEMAN. I don't specifically remember. I think it is quite possible that I did so, but I don't specifically remember. This document, for example, may have fitted that description.

The CHAIRMAN. Who else did you live with in 1946?

Mr. COLEMAN. Just Mr. Okun.

The CHAIRMAN. Who used to visit your apartment?

Mr. COLEMAN. Mr. Rosmovsky was one that I remember.

The CHAIRMAN. How about Mr. Kitty?

Mr. COLEMAN. I don't think he visited our apartment in 1946, but I am not absolutely sure.

The CHAIRMAN. How about Mr. Sobell?

Mr. COLEMAN. Mr. Sobell never visited our apartment.

The CHAIRMAN. Did you ever meet Mr. Sobell?

Mr. COLEMAN. Mr. Sobell was a classmate of mine, and I met him for the first time after graduation in 1946, at General Electric Company.

The CHAIRMAN. So you met Sobell in '46.

Mr. COLEMAN. By chance, yes, sir.

The CHAIRMAN. How many times in '46?

Mr. COLEMAN. I think I only met him once in '46, but I am not sure.

The CHAIRMAN. Did you ever visit at his home?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did he ever visit in your home?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Was he ever in your apartment?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you ever give Mr. Sobell any of this secret material?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you have a typewriter in your apartment?

Mr. COLEMAN. I don't think so. Not to the best of my knowledge.

The CHAIRMAN. Did you ever copy any of the classified documents, secret, confidential, or otherwise?

Mr. COLEMAN. I may have copied some notes from one or two documents, but I don't recall whether they were classified or not.

The CHAIRMAN. You had a camera in the apartment?

Mr. COLEMAN. No, sir, not to the best of my knowledge we didn't.

The CHAIRMAN. Did you have a camera?

Mr. COLEMAN. I don't think so.

The CHAIRMAN. Well, you know whether you had a camera or not.

Mr. COLEMAN. Sir?

The CHAIRMAN. You know whether you had a camera or not.

Mr. COLEMAN. I am not 100 percent sure. I believe I did not have a camera, but I am not 100 percent sure.

The CHAIRMAN. You mean you do not know whether you own a camera or not?

Mr. COLEMAN. I know now whether I own a camera.

The CHAIRMAN. Do you own a camera now?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. When did you buy it?

Mr. COLEMAN. I have a Brownie that I think I bought at the time I was married in '48.

The CHAIRMAN. You have two other cameras, have you not?

Mr. COLEMAN. I was given by my father-in-law, a Mercury camera.

The CHAIRMAN. When did you get that?

Mr. COLEMAN. I think about the same time.

The CHAIRMAN. And the third camera?

Mr. COLEMAN. And I have an Argus camera that I have had for some time.

The CHAIRMAN. How long?

Mr. COLEMAN. Oh, for about ten or fifteen years.

The CHAIRMAN. So then you had a camera in '46.

Mr. COLEMAN. No, the reason I said I don't think so—I think I had it home with my parents. But I am not sure.

The CHAIRMAN. What kind of camera was that?

Mr. COLEMAN. The Argus camera?

The CHAIRMAN. Yes.

Mr. COLEMAN. It is a 35-millimeter camera.

The CHAIRMAN. Could you have taken pictures of documents with that camera?

Mr. COLEMAN. I don't know.

The CHAIRMAN. Did you ever try?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you ever take any pictures of any documents?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did anyone in your apartment ever take any pictures of documents?

Mr. COLEMAN. Not to my knowledge.

The CHAIRMAN. Did you ever own or have a Minox?

Mr. COLEMAN. A what?

The CHAIRMAN. A Minox.

Mr. COLEMAN. If you mean a small camera like that, no, sir.

The CHAIRMAN. Did you ever see one?

Mr. COLEMAN. I saw one in a movie recently.

The CHAIRMAN. Did you ever see one other than in a movie?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did Lesinsky ever visit your apartment in '46?

Mr. COLEMAN. I don't know an individual by that name.

The CHAIRMAN. Did you ever discuss with Okun the search made of your apartment?

Mr. COLEMAN. Yes, briefly, I think I did, afterwards.

The CHAIRMAN. Had he ever seen any of the secret or confidential material before the search of your apartment?

Mr. COLEMAN. I don't really know whether he did or did not.

The CHAIRMAN. It was right there in plain view? He could have seen it?

Mr. COLEMAN. He could have seen it, yes, sir.

The CHAIRMAN. You did not hide it?

Mr. COLEMAN. Well, some of the material I believe was in closets, but others was on my table.

The CHAIRMAN. But who was your landlady?

Mr. COLEMAN. This was a large apartment house, and it was a superintendent there, and I don't remember who she was.

Wait a minute. I do. Mrs. Brown, I believe.

The CHAIRMAN. Ever rent from Mrs. Frazee?

Mr. COLEMAN. Frazee? Yes, we did.

The CHAIRMAN. F-r-a-z-e?

Mr. COLEMAN. Yes.

The CHAIRMAN. What year was that?

Mr. COLEMAN. I think it was half of '43 and half of '44.

The CHAIRMAN. At that time you were also removing classified material from the lab and taking it to the apartment, weren't you?

Mr. COLEMAN. I was taking it home to work on, yes, sir.

The CHAIRMAN. You had it in the apartment, did you?

Mr. COLEMAN. I don't recall if I had it then.

The CHAIRMAN. Mrs. Frazee had access to your apartment, didn't she?

Mr. COLEMAN. Yes, sir, she did.

The CHAIRMAN. Who were your roommates at that time?

Mr. COLEMAN. Mr. Okun and Mr. Grossman.

The CHAIRMAN. Do you know that Mrs. Frazee actually saw secret material in your apartment?

Mr. COLEMAN. No, sir, I do not.

The CHAIRMAN. Would you be surprised to learn that she had?

Mr. COLEMAN. Would I be surprised to learn that she had?

The CHAIRMAN. Yes.

Mr. COLEMAN. Well, not really, because I think she knew we were doing overtime work, and therefore she knew that we were working overtime at that time.

The CHAIRMAN. In 1946, when you were removing this secret and confidential material, did you have maid service in the apartment?

Mr. COLEMAN. I don't think so, but I am not sure.

The CHAIRMAN. Did you clean your own apartment, make the beds, and that sort of thing?

Mr. COLEMAN. I think we made the beds.

The CHAIRMAN. You had someone to clean up your apartment, did you not?

Mr. COLEMAN. I don't remember, sir, I don't really remember whether we did or not.

The CHAIRMAN. Did the landlady or landlord have access to that apartment?

Mr. COLEMAN. I believe that the landlady did. I am not sure.

The CHAIRMAN. Did it ever occur to you that some landlady or landlord having access to all of these secret documents might be a bit dangerous?

Mr. COLEMAN. Well, I didn't realize at the time the seriousness of the violation.

The CHAIRMAN. Now let me ask you this question. Did it occur to you ever while you were removing these documents, leaving them in your apartment lying around, as you said, that that might be rather dangerous to the security of this nation?

Mr. COLEMAN. I don't remember whether it did or did not. But I do feel this—

The CHAIRMAN. Now, just answer my question. Did it ever occur to you that that might be dangerous to the security of this nation? I am not asking whether you realize it now. At that time did it ever occur to you that leaving those secret documents concerning the de-

fense of this nation lying around in the open might be dangerous to the security of this nation?

Mr. COLEMAN. I don't remember. If you will just permit me—

The CHAIRMAN. That is enough. You can make your speech after a while.

Mr. COLEMAN. I don't want to make a speech. Just on this question. Please? Would you permit me?

The CHAIRMAN. Certainly.

Mr. COLEMAN. I have the definite impression at that time, I recall, that I considered most of these documents no longer classified. Although they were marked classified, the war had ended, and most of these documents were old documents concerned with radar sets which had been used during the war, not all of them but most of them. I had the definite impression at that time that most of them were no longer classified. I don't say it didn't occur to me. I mean, I am not saying that. Because I don't remember. But I do feel that I had the definite impression at that time that most of them were no longer classified.

The CHAIRMAN. Let me ask you this. You were suspended when?

Mr. COLEMAN. The 28th of September.

The CHAIRMAN. Do you think that a man who removes secret material from the laboratories in which he is working, leaves that material lying around in his house, freely accessible to the landlord, the landlady, should be retained in any of the Monmouth laboratories, or do you think he should be fired instanter?

Mr. COLEMAN. I believe that if it occurred today he should be fired—what was the word you used, sir?

The CHAIRMAN. Instanter.

Mr. COLEMAN. You mean immediately?

The CHAIRMAN. Fired immediately.

Mr. COLEMAN. If it occurred today, I would say yes, sir.

The CHAIRMAN. But you say in 1946 the situation was different?

Mr. COLEMAN. It was a common practice to do that.

The CHAIRMAN. Who else did it? If it was a common practice who else did it?

Mr. COLEMAN. I don't know of any specific—

The CHAIRMAN. If you say it is common practice, you must know someone else who did it.

Mr. COLEMAN. No, sir, I don't know of—

The CHAIRMAN. Do you know of one single other individual who kept secret material lying around his apartment the way you did?

Do you know of one?

Mr. COLEMAN. No, sir, I do not know, except, as I read in the newspapers, that my supervisor, apparently, Mr. Yamins, did do that. I don't know it from his own lips. He never told me that.

The CHAIRMAN. You said it was a common practice?

Mr. COLEMAN. It was.

The CHAIRMAN. If it was, you must be able to tell me of one person who did it.

Mr. COLEMAN. I cannot think of anybody. I can not say specifically that anyone did it.

The CHAIRMAN. Do you know of anyone else who did it? Do you know of anyone else? If it is a common practice, Mister, to steal secrets and leave them in your apartment, and you testified to that

under oath, you must be able to give us the name of one person who did the same as you did.

Mr. COLEMAN. I think I can give you a reason why I thought so. You were permitted to remove the documents with a whiz pass, and you were permitted to state on the whiz pass you were taking it to your home. And I knew that that was generally done by many people, that whiz passes were issued. Therefore, I gathered the impression that it was a common practice. Today I am sure that is not permitted. Nor do I think it was permitted even after my violation.

The CHAIRMAN. Let me ask you another question. Referring to "Research Laboratory Special Report No. 1-301-F, register number 2427, subject of report: Radar Scanning System, WR 1596, British Secret, United States Secret, obtained from someone within the past six months," do you know whether you signed out for that or not?

Mr. COLEMAN. In the sense of removing it from the laboratories?

The CHAIRMAN. Yes.

Mr. COLEMAN. Or in the sense of—

The CHAIRMAN. You know what signing out for it means, do you not?

Mr. COLEMAN. Well, there are two—

The CHAIRMAN. What is your definition of signing out for it?

Mr. COLEMAN. In the sense it is used in there?

The CHAIRMAN. No, not in the sense it is used here. When you say "sign out," what do you mean?

Mr. COLEMAN. In signing out, in order to remove it from the laboratories, I used the term "whiz pass" associated with that.

The CHAIRMAN. In other words, when you refer to signing out, you mean signing out when you got it from the laboratory?

Mr. COLEMAN. When removed from the laboratory, yes, sir.

The CHAIRMAN. When you say, "signing out" you refer to signing it out of the laboratory into your possession; is that correct?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. All right. Did you sign out for this one?

Mr. COLEMAN. To the best of my recollection, yes, sir. I cannot remember the specific document.

The CHAIRMAN. The other day you said you had signed out for all of them.

Mr. COLEMAN. To the best of my recollection.

The CHAIRMAN. All right. Now let me read this to you. You say, "I do not think I signed out for it." Now, what is correct?

Mr. COLEMAN. By that I meant at that time—my terminology at that time meant signing a receipt, internally.

The CHAIRMAN. Signing out for it?

Mr. COLEMAN. Internally.

The CHAIRMAN. Mister, you are in more trouble right along.

Mr. COLEMAN. I am telling the truth, Senator.

The CHAIRMAN. It is about time for you to start.

Mr. COLEMAN. Believe me, I am telling the truth. I have nothing to hide.

The CHAIRMAN. You say that in 1946, by signing out, you meant signing in, really. Now by "signing out," you mean signing out. Is that correct? You just got through telling me that by signing out

you mean signing it out of the laboratory. Is it correct that in 1946, when you said, "signing out," you meant signing it into the laboratory? Is that correct?

Mr. COLEMAN. I am not sure what you are driving at right now. I am not sure I understand the question.

The CHAIRMAN. It is a very simple question. You say, "I do not think I signed out for it." Did you mean actually that you did not think you signed in for it? What did you mean then?

Mr. COLEMAN. I think I meant that I did not sign a receipt for it internally. But I did not remember any specific—

The CHAIRMAN. What did you mean by "sign out" in 1946?

Mr. COLEMAN. I believe I meant signing a receipt for it.

The CHAIRMAN. When you received it into the laboratory?

Mr. COLEMAN. Inside the laboratory.

The CHAIRMAN. In other words, when you received it.

Mr. COLEMAN. For the first time, yes, sir.

The CHAIRMAN. When you received it into the laboratory?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Was it your function to sign receipts for the material which officially came into the lab?

Mr. COLEMAN. No, sir.

The CHAIRMAN. That was not your function, was it?

Mr. COLEMAN. When an individual—

The CHAIRMAN. Just a minute.

Mr. COLEMAN. No, not in the sense that it came in through the mail.

The CHAIRMAN. Now let us get this straight. When secret material came into the lab, who checked it in and signed in for it?

Mr. COLEMAN. Do you mean came into the lab by messenger, or by mail?

The CHAIRMAN. In any fashion. If it is handled differently by messenger, tell us.

Mr. COLEMAN. If it came into the lab and was addressed to the director, it would be handled by Mail and Records Section.

The CHAIRMAN. All right. Was there ever any occasion when you had the task of checking in the secret material?

Mr. COLEMAN. No, sir.

The CHAIRMAN. You did not?

Mr. COLEMAN. No, sir.

The CHAIRMAN. So that you never checked in the secret material.

Mr. COLEMAN. In the sense that—

The CHAIRMAN. In any sense?

Mr. COLEMAN. A person could, if he had a number of copies of documents that he received, distribute them to others. When he did that, the other people had to sign for it with an internal receipt. This is what I am referring to.

Mr. COHN. I think you told us this morning you worked on SCR 527 and SCR 627. Is that correct?

Mr. COLEMAN. I believe I stated that it was one of the sets assigned to my section at the time I entered the Marine Corps.

The CHAIRMAN. Well, now, did you ever see anything about that over in Evans before you went with the Marine Corps?

Mr. COLEMAN. Oh, yes, sir. Before I went with the Marine Corps, yes, sir.

The CHAIRMAN. Did you have access to classified material concerning SCR-527 and SCR-627?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. How about SCR-537?

Mr. COLEMAN. 537?

The CHAIRMAN. Yes.

Mr. COLEMAN. I don't remember that set particularly, by that name, anyway.

The CHAIRMAN. How about PPN 10?

Mr. COLEMAN. PPN 10?

The CHAIRMAN. Yes.

Mr. COLEMAN. I don't remember that name particularly.

The CHAIRMAN. All right. APG 30.

Mr. COLEMAN. No, sir, I don't remember that name.

The CHAIRMAN. UPH 3. It looks like U 6-3 and 4.

Mr. COLEMAN. I don't remember those names.

The CHAIRMAN. APS 10?

Mr. COLEMAN. No, sir.

The CHAIRMAN. APN 57?

Mr. COLEMAN. APN 57?

The CHAIRMAN. Yes, sir. That was an air force set, obviously.

Mr. COLEMAN. I don't remember those.

The CHAIRMAN. DPW 1?

Mr. COLEMAN. DPW 1, I recall. I think I mentioned before it probably was handled by Navigation and Maintenance Section. I am not sure of the title number.

The CHAIRMAN. Did you have anything to do with it?

Mr. COLEMAN. No, sir.

The CHAIRMAN. Did you ever see any papers connected with it?

Mr. COLEMAN. I don't know. I don't think so, but I am not absolutely sure. Ordinarily I would not see papers connected with it.

The CHAIRMAN. Now, did any of these documents on this list have anything to do with SCR 527 and 627?

Mr. COLEMAN. Sir, I can think of possibilities. I can't tell from the title.

The CHAIRMAN. Will you indicate those?

Mr. COLEMAN. How shall I indicate?

The CHAIRMAN. Just read off the number on that sheet and the description.

Mr. COLEMAN. I can think of No. 9. It could have something to do with it. I don't know. It says "Summary of Military Characteristics for Equipment as Used in the Army Air Force."

The CHAIRMAN. What is the classification?

Mr. COLEMAN. This one was at that time marked secret.

The CHAIRMAN. I see. And that might have had a relation to what? 527? Or 627?

Mr. COLEMAN. I don't know if it actually does, but it might. It says, "Sitting" here. It is actually "Siting." "Siting of 1 p.m. mobile equipment, confidential." That might have had something to do with it.

The CHAIRMAN. Do you think it did?

Mr. COLEMAN. I don't know. I believe the equipment you are talking about might come under this general title, but whether this specifically refers to those sets, I don't know.

The CHAIRMAN. How about the No. 9? Does that come generally under that title?

Mr. COLEMAN. Well, as you see, No. 9 is a summary of military characteristics for equipment. I assume from the title that there are a large number of equipments, and perhaps 527 and 627 are listed in there.

The CHAIRMAN. Give me that again, will you? Now let me ask you this one question again and get this record absolutely straight. You say on September 27, 1946, when you used the term "signing out," you meant just what? Go over that again, will you? What did you mean?

Mr. COLEMAN. I believe that I meant——

The CHAIRMAN. Do you know what you meant?

Mr. COLEMAN. No, I am not absolutely sure.

The CHAIRMAN. You do not know what you meant?

Mr. COLEMAN. I believe, to the best of my recollection, signing in the sense that it is used there is signing a receipt internally for the document.

The CHAIRMAN. Well, now, you say the occasion of that would be if there were several documents, several copies, and they were distributed to different personnel who needed them, then you would give a receipt for it. That is what you refer to as signing, signing out?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. You call that signing out. Is that what you meant in 1946?

Mr. COLEMAN. I believe I did, yes, sir; as far as I can recall.

The CHAIRMAN. Do you know what you meant in '46?

Mr. COLEMAN. I am not absolutely sure.

The CHAIRMAN. You do not know what you meant in '46.

Mr. COLEMAN. I am not absolutely sure. I think that is what I meant.

The CHAIRMAN. You think that is what you meant.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. But now when you refer to signing out, what do you mean? When I asked you today, "What did you mean by 'signing out' for something," and when I asked you last week, what did you mean? When you were before me in New York, and I said, "Did you sign out for these things?"—what did you understand by that?

Mr. COLEMAN. I don't remember that as a specific question without some qualification, such as "from Evans Signal Laboratory." If you would phrase it that way, then I believe I could answer it completely.

The CHAIRMAN. Well, would it have a different meaning if it were from Belmar or some place else? When you signed out for a secret document, did signing out mean something different in Belmar than it did at Evans?

Mr. COLEMAN. Well, Belmar and Evans are the same thing.

The CHAIRMAN. What do you mean today when you say you did or did not sign out for it? What do you mean? I don't care whether it is Evans or Belmar or Watson.

Mr. COLEMAN. I think by itself it could be either of the two.

The CHAIRMAN. What do you think I meant when I asked you if you signed out for what was found in your home?

Mr. COLEMAN. Oh, when you are referring to a document that was found in my home, I assume that you mean signing it out from Evans, and in that connection I believe, and I stated, that I got that with a whiz pass.

The CHAIRMAN. When you told me you signed out for all these documents, you meant signing them out of the laboratory when you took them away; is that correct?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. And if you did not sign out for them, you realize you are committing perjury? Do you understand that when you say you signed out for all of them, if that were not true you were committing perjury?

Mr. COLEMAN. Sir, but I didn't say I signed out for all of them, because I didn't take all of them from Evans. Some were my personal property. Some I got in the marine corps. But those I took from Evans——

The CHAIRMAN. Do you say now you only signed out for those you took from Evans?

Mr. COLEMAN. Those I took from Evans I removed with a whiz pass, which I signed, to the best of my knowledge.

The CHAIRMAN. In other words, you signed out for them. You took them out, and you signed something?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. On all occasions, when you took them?

Mr. COLEMAN. To the best of my memory.

The CHAIRMAN. Now, did you sign out for anything you got from Belmar? In other words, did you sign a receipt when you took it away from the laboratory?

Mr. COLEMAN. Well, Evans and Belmar are the same thing. I don't understand your question, sir.

The CHAIRMAN. Belmar is the same as Evans? That is my mistake. I thought they were two separate laboratories. Then when you say you got something from Belmar, you really mean you got it from Evans. Is that correct?

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. Then when you say, "I don't know whether I signed for it or not, you mean you do not have any recollection of signing for it at all? Is that correct?

Mr. COLEMAN. Internally, yes, sir.

The CHAIRMAN. But you say you did sign for it when it was taken out?

Mr. COLEMAN. Well, sir, I would like to just state it that in 1946 the practice was to sign out with a whiz pass. Any documents I took out in 1946 I signed out for with a whiz pass. I was following the regulations as I understood it then.

The CHAIRMAN. How about the stuff you got from Watson?

Mr. COLEMAN. I believe I signed a receipt for it when I got it, I am not sure.

The CHAIRMAN. You are not sure. Has something happened between 1946 and this date to convince you that you signed for it? What has happened since to make you think you signed for it? At that time you said you had not signed for it.

Mr. COLEMAN. I haven't changed. I don't remember. I don't know.

The CHAIRMAN. You just got through telling me you thought you signed for it.

Mr. COLEMAN. I am not sure.

The CHAIRMAN. Well, do you think you signed for it?

Mr. COLEMAN. I am not sure. I don't remember.

The CHAIRMAN. I see. You don't know, in other words. Do you want to correct the statement you just made that you thought you had signed for it?

Mr. COLEMAN. Yes.

The CHAIRMAN. Looking over this document you gave me, which is a list of all the secret and confidential material you have, would you say that that would give any enemy agent almost a perfect picture of our radar equipment at that time? In other words, it runs almost the entire gamut, does it not?

Mr. COLEMAN. Nothing that he didn't already know, because most of it was unclassified already. This covered equipment that was in use in World War II, and the war was over. And as I understand it, quite a bit of this equipment was given to various allied nations.

The CHAIRMAN. I have asked you a very simple question. In 1946, when you removed those secret documents concerning radar, the documents listed on that document, if an enemy agent had all the documents which you had in your apartment, would that have given him a rather complete picture of our development of the radar as of that time? I am not asking you whether he knew it anyway or not. I am asking you whether or not those documents would not have given him a rather complete picture.

Mr. COLEMAN. Would you mind if I check it, just give it another glance through?

The CHAIRMAN. It is a rather important question. You will have to check it, if you have forgotten what you took.

Mr. COLEMAN. I think it would give him a complete picture as of probably around 1944 or '45. I would say enough of a picture so that he could construct a complete picture. But I don't think as of '46. I think it is mostly wartime equipment.

The CHAIRMAN. You think?

Mr. COLEMAN. Yes, sir, I think; to the best of my knowledge, as far as I can tell.

The CHAIRMAN. You say that you never turned any classified material over to anyone who is not working for the Signal Corps?

Mr. COLEMAN. Not working for the Signal Corps?

The CHAIRMAN. Yes.

Mr. COLEMAN. If I turned any material over, I never turned it over to anyone who did not have the authority or the clearance to obtain it.

The CHAIRMAN. Did you leave any material in a place where it would be available to anyone who did not have authority to obtain it? Any classified material from the Signal Corps?

Mr. COLEMAN. The material which was in my apartment—someone who was determined to get it could have gotten into the apartment.

The CHAIRMAN. In other words, you left secret material, material classified as secret and confidential, over a long period of time in

places where it would have been available to individuals not authorized to obtain that material? Is that correct?

Mr. COLEMAN. If they broke into the apartment, yes, sir.

The CHAIRMAN. Well, how about the landlord who had the key to the apartment, or the landlady, and their friends? There is no question that you left the material available to unauthorized personnel, secret and confidential material. You know that, do you not?

Mr. COLEMAN. Well, as I said before, I had the general impression.

The CHAIRMAN. I do not care what your impression is. Is it correct that you left secret material where it would be available to unauthorized persons?

Mr. COLEMAN. It is correct in the sense that we have been talking about it all along.

The CHAIRMAN. So that if there is testimony that enemy agents had access to your apartment, you realize then that you are guilty of espionage, guilty of violating a section of the Espionage Act, on which there is no statute of limitations? You realize that, do you not?

Mr. COLEMAN. No, sir, I really don't know. I am not a lawyer, and I can't say.

The CHAIRMAN. Then I will tell you. And this is the last comment I have, and you can leave. This is for your own protection.

Mr. COLEMAN. Yes, sir.

The CHAIRMAN. We have the testimony before this committee that the secret material, which you unlawfully took from the laboratory, left lying around your apartment, was available to enemy agents. I just want you to know that as of today, from all the study which my staff has made, you are guilty of violating the Espionage Act, and not the section which is tolled by the statute—you are guilty of violating that also—but a section of the statute which is not tolled by any statute of limitations. I am telling you that for your protection. We intend to submit this to the Justice Department. I may say that I think you have given this committee about the same type of cooperation which Rosenberg gave the court in New York. I think you are evasive, lying, and doing everything you can to cover up a deliberate case on your part. You may leave. I assume this is your only copy, and you want that back.

Mr. COLEMAN. No, sir. You may have that.

Mr. GREEN. Senator, that has no direct relation to the matters on which you have been examining the witness.

The CHAIRMAN. I understand that.

We asked him to bring along anything he had, any documents which had any relationship to his work in the Signal Corps lab.

Mr. GREEN. I didn't so understand the question. I thought it was with respect to the particular transaction.

The CHAIRMAN. No, it was with respect to his handling of any classified material.

Mr. COHN. On that other document, is that the only copy you have? I wonder if we could photostat it and return the original?

Mr. GREEN. I would like very much to have it back promptly, however, because we will need it.

Gen. LAWTON. I can do it right here on the post.

Mr. COHN. That will be fine, General. We will appreciate it a lot.
[The subcommittee then heard testimony from Barry S. Bernstein, which it subsequently published.]
[Whereupon, at 4 p.m., a recess was taken to reconvene at 8 p.m., in room 29, Federal Building, New York, N.Y.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—After returning to New York City from Fort Monmouth, Senator McCarthy held an evening session of the subcommittee. He told reporters that he had questioned a witness who had refused to answer when asked if he was a paid Soviet spy, and noted that the witness had access to secret files while compiling a classified pamphlet for the navy on gun direction by radar.

Harvey Sachs did not testify publicly. Leonard E. Mins (1900–1988) and Sylvia Berke (1920–1977) testified publicly on December 14, and Benjamin Wolman on December 15, 1953.]

THURSDAY, OCTOBER 22, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 8:00 p.m., pursuant to recess, in room 29, Federal Building, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, research assistant to Senator Potter.

Present also: John Adams, counselor to the secretary of the Department of the Army; and Maj. Gen. Kirke B. Lawton.

The CHAIRMAN. Mr. Wolman, will you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WOLMAN. I do, sir.

Mr. COHN. May we have your full name, please?

TESTIMONY OF BENJAMIN WOLMAN (ACCOMPANIED BY HIS COUNSEL, VICTOR ABRAMOWITZ)

Mr. WOLMAN. Benjamin Wolman, W-o-l-m-a-n.

Mr. COHN. And your address?

Mr. WOLMAN. 505 Alabama Avenue.

Mr. COHN. Will you note counsel is Victor Abramowitz?

Now, Mr. Wolman, what is your occupation at the present time?

Mr. WOLMAN. I am in the public school system.

Mr. COHN. What school do you teach in?

Mr. WOLMAN. Public School 3.

Mr. COHN. Where is that? In Brooklyn?

Mr. WOLMAN. Yes.

Mr. COHN. What do you teach there?

Mr. WOLMAN. I am assistant principal.

Mr. COHN. And for how long a period of time have you been assistant principal of that school?

Mr. WOLMAN. Just under a year.

Mr. COHN. Sir, I can't hear.

Mr. WOLMAN. Just under a year.

Mr. COHN. And what were you before that?

Mr. WOLMAN. A teacher.

Mr. COHN. What did you teach?

Mr. WOLMAN. Social studies and economics.

Mr. COHN. Social studies and economics?

Mr. WOLMAN. And also, when I had a different kind of program, the elementary school might have math.

Mr. COHN. For how long a period of time were you teaching at that school?

Mr. WOLMAN. That was in the high school, for about three years, before that in the elementary school for three years.

Mr. COHN. Was there ever a time when you were with the Signal Corps at Fort Monmouth?

Mr. WOLMAN. Yes, sir.

Mr. COHN. When were you with the Signal Corps at Fort Monmouth?

Mr. WOLMAN. I can give you the exact date, if I may.

Mr. COHN. Would you do that, sir?

Mr. WOLMAN. Let me tell you what it was. I was an officer candidate. I was in officer candidate school from some time toward the end of December 1942 for the period of the three months that the school ran. And I got my commission in March, March the 22nd or 23rd, 1943. I was there longer than that. I got a leave of absence after that, and then was sent to a course called "Fundamentals of Electricity." My recollection is that it was not at Fort Monmouth, but at Asbury Park, but it was part of the same general command. That is, I resided at Asbury Park and went to school there.

After that, I was sent to another school of the Signal Corps. "Long Lines Inside" was the name of the course. And that was also Asbury Park, under the jurisdiction, though, of the headquarters of the Signal Corps, Fort Monmouth. After that I was transferred out of the Monmouth command to Camp Crowder.

Mr. COHN. Now, Mr. Wolman, we have it that you are now the assistant principal of Public School No. 3 in Brooklyn. Before that you taught social studies.

Mr. WOLMAN. Not there.

Mr. COHN. You taught at other schools?

Mr. WOLMAN. At a high school, and three years prior to that at an elementary school.

Mr. COHN. And you were at the Signal Corps down at Monmouth in 1943 and 1944?

Mr. WOLMAN. No, sir, I didn't say '44.

Mr. COHN. 1943?

Mr. WOLMAN. '43. I can give you the exact date of transfer.

Mr. COHN. I think the record indicates that.

The CHAIRMAN. Were you not inducted into the Signal Corps in May '42?

Mr. WOLMAN. No, sir.

The CHAIRMAN. May '43?

Mr. WOLMAN. No, sir. As an officer, in March '43. Let me explain. When I entered the army, I went through basic training and then was shipped out to Texas. Now, May 1942 was my date of induction into the army.

Mr. COHN. That is all right. You were at Monmouth in '43?

Mr. WOLMAN. From December '42 to, let us say, July or so of '43.

Mr. COHN. At that time, when you were at Fort Monmouth, were you a member of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. Have you ever attended a Communist party meeting?

Mr. WOLMAN. I don't think so, certainly none that I knew was a Communist party meeting.

Mr. COHN. Was there any doubt about it in your mind?

Mr. WOLMAN. No, I could say I have never attended.

Mr. COHN. Are you sure you have never attended a Communist party meeting?

The CHAIRMAN. Did I understand the witness to say that he had never attended any Communist party meetings?

[Mr. Wolman confers with Mr. Abramowitz.]

Mr. COHN. You can consult with counsel any time you wish, Mr. Wolman.

Mr. WOLMAN. I did. I explained to him that barring a situation where I was unfamiliar with the surroundings—but I can't even think of that kind of situation.

Mr. COHN. Now, was Mrs. Wolman a member of the Communist party?

Mr. WOLMAN. I have been informed that I have a privilege to protect questions of conversation or discussion between husband and wife. I would like to stand on that.

The CHAIRMAN. Did you ever attend any Communist meetings with your wife? First let me ask you: Is your wife's first name Diana?

Mr. WOLMAN. Yes, sir.

The CHAIRMAN. Did you ever attend any Communist party meetings with your wife?

Mr. WOLMAN. No.

The CHAIRMAN. You did not. Did your wife ever ask you to attend Communist party meetings with her?

[Mr. Wolman confers with Mr. Abramowitz.]

Mr. WOLMAN. I claim my privilege on that.

The CHAIRMAN. You mean the husband and wife privilege?

Mr. WOLMAN. Yes, sir.

The CHAIRMAN. Did your wife ever discuss with you her membership in the Communist party in the presence of anyone other than the two of you? In other words, when a third person was present?

Mr. WOLMAN. No.

The CHAIRMAN. Your answer is "no"?

Mr. WOLMAN. "No."

The CHAIRMAN. Was your wife a Communist prior to your marriage with her?

Mr. WOLMAN. I wouldn't know that, sir.

The CHAIRMAN. You do not know whether she was or not. Did she ever mention to you that she was a Communist before you married her?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Did you have any reason to believe she was a Communist before you married her?

Mr. WOLMAN. None that I know of. I don't think the question arose.

The CHAIRMAN. Not whether the question arose. Did you have any reason to believe your wife was a Communist, before you married her, from her conversations with you or otherwise? There is no privilege between girlfriend and boyfriend.

Mr. WOLMAN. Yes, I realize the distinction made with the marriage. I would say: no.

The CHAIRMAN. You would say "no"?

Mr. WOLMAN. "No." Will you phrase the question again, so that I know what I am answering, please?

The CHAIRMAN. Did you, prior to your marriage to your wife, have any reason to suspect that she might be a Communist?

Mr. WOLMAN. No.

[Mr. Wolman confers with Mr. Abramowitz.]

Mr. WOLMAN. The question I have just raised here was on a question of knowledge or something that I heard or knew as a fact. Outside the area of marriage privilege, I could answer whether I did or did not know. But you asked me whether I had any reason for suspecting it. I think that comes into a sort of conjecture.

The CHAIRMAN. Let us hear your conjecture. You are here before this committee to give us any information you have. We are asking you for it.

Mr. ABRAMOWITZ. May I suggest, sir——

The CHAIRMAN. No, you may not suggest, Counsel. You can suggest to your client.

[Mr. Abramowitz confers with Mr. Wolman.]

Mr. WOLMAN. Well, it is more or less as I presented it. It is a question of conjecture, and I don't see how I can, in fairness to the committee or to myself, attempt to give anything like the kind of an answer one can give on facts.

The CHAIRMAN. What is your answer?

Mr. WOLMAN. To the question on conjecture? I mean, you are asking me really to make a——

The CHAIRMAN. I asked you a simple question.

Mr. WOLMAN. You asked me to make a guess.

The CHAIRMAN. You are an assistant principal of a school. You should have enough intelligence to understand the question. If you have not, we will ask it again.

Mr. WOLMAN. No, I understand the question.

The CHAIRMAN. Then answer.

Mr. WOLMAN. "No."

The CHAIRMAN. The answer is "no"?

Mr. WOLMAN. No. No grounds for making—insufficient grounds for making that kind of guess.

The CHAIRMAN. Did you ever have any suspicion before you were married——

Mr. WOLMAN. That is what I mean.

The CHAIRMAN. Let me finish the question.

Mr. WOLMAN. I am sorry.

The CHAIRMAN. Did you ever have any suspicion before you were married that your wife was a Communist?

Mr. WOLMAN. As I say, you are still asking me to guess, and I would have to say "no," then.

The CHAIRMAN. Is the answer "no"?

Mr. WOLMAN. "No."

The CHAIRMAN. Did you have any suspicion or any thought that she might be a Communist sympathizer?

[Mr. Wolman confers with Mr. Abramowitz.]

The CHAIRMAN. Mister, we know something about you, or you would not be here.

Mr. WOLMAN. Well, I assume there must be some grounds for being called here.

The CHAIRMAN. I just want to tell you something for your own protection. We know something about you or you would not be here.

Mr. WOLMAN. I say I assumed that.

The CHAIRMAN. You can go ahead and commit perjury if you care to. I do not care. You will not be the first witness in this hearing who has done it. But do not think you can play with this committee. I would suggest to you that you either tell the truth or refuse to answer.

Mr. WOLMAN. Well, I am trying to tell the truth as well as I can. You asked me a question, however, that is a guess.

The CHAIRMAN. I would suggest that you better try a little harder.

Mr. WOLMAN. But you are asking me to guess.

Mr. COHN. You do not have to do any guessing, Mr. Wolman.

When were you married?

Mr. WOLMAN. In 1946.

Mr. COHN. In November?

Mr. WOLMAN. In November 1946.

The CHAIRMAN. Did you have any reason to believe that your wife was a Communist sympathizer before you married her?

Mr. WOLMAN. On the same basis as I answered before, I don't think so.

The CHAIRMAN. "Yes" or "no"?

Mr. WOLMAN. Well, no.

The CHAIRMAN. In other words, nothing came to your attention which would give you any reason to suspect that your wife might be either a Communist or a Communist sympathizer? Is that correct?

Mr. WOLMAN. You are assuming, of course——

The CHAIRMAN. I am not assuming anything. I am asking you a question.

Mr. WOLMAN. May I finish, please?

The CHAIRMAN. No, I am asking you a question. I will ask it again. Did anything ever come to your attention prior to your marriage which might give you any reason to suspect or think that your wife might be a Communist or a Communist sympathizer?

Mr. ABRAMOWITZ. Mr. Senator, may I have a few moments to consult in private with the witness?

The CHAIRMAN. Surely. You can take him into the back of the room if you want to.

Mr. SACHS, will you raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SACHS. I do.

Senator, can I ask something first, please? My employer happens to be with me here tonight, and I would like to ask you if you would grant him the privilege of hearing my testimony.

Mr. COHN. If you want him in, we will have him in.

Mr. SACHS. His name is Mr. Boylen, and he is out here.

Mr. COHN. Mr. Sachs, where are you employed?

TESTIMONY OF HARVEY SACHS (ACCOMPANIED BY IRVING BOYLEN)

Mr. SACHS. I am employed at the Shore Television Company in Brooklyn, New York.

Mr. COHN. And for how long a period of time have you been there?

Mr. SACHS. I have been there for a little over four years now.

Mr. COHN. What kind of work do you do there?

Mr. SACHS. I happen to be an electrical engineer, and my capacity happens to be that of plant manager.

Mr. COHN. Do they have any government contracts there?

Mr. SACHS. Yes, they have two at the present time, one from the Signal Corps and one from the air force.

Mr. COHN. Is there any classified work?

Mr. SACHS. No, sir.

Mr. COHN. They are unclassified projects?

Mr. SACHS. They are.

Mr. COHN. What do they concern?

Mr. SACHS. One happens to be for a dummy load test set, and the other happens to be for a relay test set.

Mr. COHN. There is a Signal Corps one from Fort Monmouth?

Mr. SACHS. Well, it is not directly from Fort Monmouth, although the engineering samples were submitted there.

Mr. COHN. Were you ever connected with the Army Signal Corps?

Mr. SACHS. I certainly was.

Mr. COHN. When?

Mr. SACHS. I worked for them from July of 1941 until April of 1944, at which time I went into the navy, was drafted into the navy.

Mr. COHN. When you were with the Army Signal Corps, where were you stationed?

Mr. SACHS. I started by working at Fort Hancock, which was a part of the Fort Monmouth Signal Laboratory, and then I was assigned to field work in Baltimore, Maryland, and at Sunbury, Pennsylvania, and at the time I returned to the laboratory for assignment to work there they had moved that section to Evans Signal Laboratory in Belmar.

Mr. COHN. Did you then work at Evans?

Mr. SACHS. I worked at Evans for some period of time, and then I spent two and a half months in Toronto at the plant of Research Enterprises, Limited, and then again I returned to Belmar to work.

Mr. COHN. Did you have a clearance to work on classified material?

Mr. SACHS. At that time? Yes, sir.

Mr. COHN. And did you work on classified material?

Mr. SACHS. I worked on confidential material primarily, yes.

Mr. COHN. You did work on classified material?

Mr. SACHS. Yes, I did.

Mr. COHN. Now, were you ever a member of the Young Communist League?

Mr. SACHS. No, sir, I was not.

Mr. COHN. Did you ever attend any meetings of the Young Communist League?

Mr. SACHS. Not to my knowledge. I did not.

Mr. COHN. Do you know a man by the name of Fred Kitty?

Mr. SACHS. Yes, I am acquainted with him.

Mr. COHN. Did you ever attend any meetings of the Young Communist League with Fred Kitty?

Mr. SACHS. No, sir, I did not.

The CHAIRMAN. Did you ever attend any meetings with Fred Kitty?

Mr. SACHS. No, not to my recollection.

Mr. COHN. Did you go to Cooper Union?

Mr. SACHS. I certainly did.

Mr. COHN. During what years?

Mr. SACHS. I went to Cooper Union from 1937 until 1941, from September of '37 until May of 1941.

Mr. COHN. Do you deny, under oath, that you were a member of the Young Communist League at Cooper Union?

Mr. SACHS. I certainly do. I deny that.

Mr. COHN. Do you deny under oath that you attended any meetings of the Young Communist League while at Cooper Union?

Mr. SACHS. I would like to point out that I did attend at that time, to my recollection, some meetings of groups that I feel, in looking back, were probably sympathetic to the Communist cause at that time, but if you were to ask me whether or not it was the Young Communist League, I couldn't honestly tell you it was so.

Mr. COHN. You just said a few moments ago you didn't.

Mr. SACHS. In my recollection.

The CHAIRMAN. For your protection, and in view of the fact that you do not have counsel here, I want to inform you that the committee has testimony from a number of witnesses that you attended meetings of the Young Communist League and were a member of the Young Communist League. I tell you this so that you will be fully informed of that, so that if there is any subsequent legal proceeding you cannot claim you were entrapped or anything of the kind.

Let me say I know nothing about whether you are telling the truth or whether they are telling the truth. We have witnesses who have sworn that you were a member of the Young Communist League and that you attended meetings. I would suggest to you, if I may give you some advice, as a lawyer myself, that you realized

when we called you here that we called you for a purpose. We did not reach into a grab bag and pull out your name. We knew something about you, or you would not be called here. Do not assume you are dealing with a bunch of school boys when you are dealing with this staff. They have been investigating for a long time. They know all the rules of evidence. They know all the criminal laws involving people who come in and perjure themselves. So I would suggest to you that you either tell the truth to Mr. Cohn in answer to his questions or that you refuse to answer. Otherwise, you will find yourself in an awful lot of trouble.

Mr. SACHS. Well, Senator, can I make a statement concerning my position before I am asked any more questions?

The CHAIRMAN. You certainly may. I may say if you want an adjournment to get a lawyer, you may have an adjournment.

Mr. SACHS. In all truthfulness, Senator, I don't think it is necessary, because I am going to tell you in my own terms what is, I think, the truth. I realize this is a very serious matter, and I am not going to say whether I am doing something foolish. Maybe I am.

Perhaps I should seek a lawyer's advice, and my employer would probably be the best one to tell me that. But I will tell you what my position is.

At the time I went to Cooper Union, '37 to '41, twelve or thirteen years ago, I was with a group of individuals who were probably, some of them, Communistically inclined. And I can tell you that I attended meetings of what was probably—what the heck did they call it—some student group. I forget the name at the moment. Can anybody suggest it?

Mr. COHN. The American Student Union?

Mr. SACHS. Was that the one?

Mr. COHN. I don't know what you have in mind.

Mr. SACHS. I think it was the American Student Union, or whatever it was. I attended meetings of that. And as far as I know, those were the only meetings that I attended. If somebody called it a YCL meeting, as you put it, I am sorry to say that I honestly do not recollect that I attended a YCL meeting. If somebody called it that or said they saw me at one, that is their testimony.

Mr. COHN. Were these meetings obviously under Communist domination? I mean, do not fence now. Just be completely candid.

Mr. SACHS. You mean looking back? At this time looking back?

Mr. COHN. Yes.

Mr. SACHS. Yes, I would say so.

Mr. COHN. Who were the people who attended these meetings with you?

Mr. SACHS. Well—

Mr. COHN. We have you. How about Fred Kitty?

Mr. SACHS. No, not that I recollect. Because I didn't know him at that time.

Mr. COHN. Who do you recollect?

Mr. SACHS. Well, there were fellows that went to school with me at that time that were in my class.

Mr. COHN. Give us some names.

Mr. SACHS. There are only two fellows that I can think of, because they were in my particular class, and I knew them.

The CHAIRMAN. Before you name them, I assume if you follow the usual pattern you will give us the names of a couple of well-known Communists. Now you can go ahead and name them.

Mr. SACHS. No, I can only name fellows who were in my class. One was Alfred Sarant, and the other's name was Ralph Cricker.

Mr. COHN. When did you first meet Alfred Sarant?

Mr. SACHS. At school, in Cooper Union.

Mr. COHN. In what year?

Mr. SACHS. Well, in my freshman year, I don't believe I knew him very well. As a matter of fact, I don't believe I knew him at all until 1940.

Mr. COHN. Try and keep your answers a little shorter. Do your thinking, and give us the conclusion, just so that you can save time. About what year do you think you met Mr. Sarant?

Mr. SACHS. I would say in 1940 I really got to know him, because we were in the same class together.

Mr. COHN. Was he present at some of these meetings you have described?

Mr. SACHS. Yes, I would say he was.

Mr. COHN. Did you know Mr. Sarant was a Communist?

Mr. SACHS. Did I know what?

Mr. COHN. Did you know Mr. Sarant was a Communist, one of these people you described as Communistically inclined.

Mr. SACHS. I would say he was.

Mr. COHN. Did you see Mr. Sarant down at the Signal Corps?

Mr. SACHS. Yes, I did.

Mr. COHN. What was Mr. Sarant doing there?

Mr. SACHS. He was an engineer.

Mr. COHN. Did you report him to the authorities, by the way?

Mr. SACHS. Did I report him to the authorities?

Mr. COHN. Yes. Here is a man you knew was a Communist, or, to take your words, Communistically inclined, and you see him working down in the Signal Corps on classified material. I wonder what steps you, not being a Communist, took to bring the matter to the attention of the authorities down there?

Mr. SACHS. First of all I don't know whether he was working on classified work or not.

Mr. COHN. Where was he working in the Signal Corps?

Mr. SACHS. He was working in another section. I am sorry to say I don't recall which.

The CHAIRMAN. Counsel asked you if you ever reported him to anyone.

Mr. SACHS. No, sir.

The CHAIRMAN. Here is a Communist you knew was working in the Signal Corps.

Mr. SACHS. I didn't know he was a Communist.

The CHAIRMAN. Did you not think he was a Communist?

Mr. SACHS. I will put it this way. I believe that he was communistically inclined.

The CHAIRMAN. But you decided not to report him to anyone?

Mr. SACHS. I don't think I made a decision one way or another.

The CHAIRMAN. Aside from these two well-known and well-identified Communists—you know they are publicly known. It is so easy

to say "I know Earl Browder." He is well known—would you like to search your names as to other individuals?

Mr. SACHS. The reason I recollect those two people—

The CHAIRMAN. I am not asking you about that. I am asking you if you can tell us any other names.

Mr. SACHS. Offhand, no.

The Chairman. Let me ask you this. Did you, in the year 1940, pay money to the Young Communist League?

Mr. SACHS. I don't recollect. I mean, I don't know what it could be. It is very hard for me to recollect something like that.

The CHAIRMAN. Do you think that would be such a casual thing, joining the Young Communist League, that you would not remember paying money to them?

Mr. SACHS. I didn't belong to the Young Communist League.

The CHAIRMAN. Did you not pay membership dues? Let me tell you, Mister, our FBI is not too dumb. Sometimes they have people collecting those dues, in case you do not know it.

Now, if you want to tell us, all right. In 1940, did you not pay membership dues to the Young Communist League?

Mr. SACHS. I simply do not recollect anything like that.

The CHAIRMAN. Well, do you want to tell us positively you did not?

Mr. SACHS. I can't positively say I did not.

The CHAIRMAN. You cannot positively say?

[Mr. Sachs confers with Mr. Boylen.]

Mr. SACHS. These are legal points. I am trying to answer as best I can.

The CHAIRMAN. You have a right to have a lawyer, and I may say to you that you should have a lawyer. You see, we know that joining the Communist party is important enough in any man's life that he remembers it. When you come here and say, "I do not remember whether I joined or not. I do not remember whether I gave them membership dues"—there is no jury in the land that would believe you were honest.

Now, you are entitled to have counsel. If I were in your place, I would go and get myself a lawyer. I would suggest also that you not get a Communist lawyer. We have seen men come in here with Communist lawyers often. I want to suggest this to you, that they owe a higher duty to the Communist party than they owe to you. So if you have a Communist lawyer, he is going to take instructions from the party. I would suggest to you not to get one.

Mr. SACHS. I will hire—

The CHAIRMAN. Let me say this, for the benefit of your counsel. We have what we consider very definite proof from a man who has no reason to lie about you that you belonged to the Young Communist League, that you attended meetings, that you did this often enough that there could be no conceivable doubt in your mind about it, that you were associated with the Communists over there. That is not necessarily a crime. If you come in here and lie about it, it is a crime. I don't know whether you have kept up your membership or not, frankly. I perhaps should not tell you that, but I will. I do not know what you have done in '47, '48, '49, and '50.

So I would say to you: Either tell us the truth now, or, if you are afraid it might incriminate you, go out and get yourself a law-

yer and come back. We will give you time to get a lawyer and time to lay the whole course before us.

Mr. SACHS. Well, Senator, you see, I could tell you what the truth is to my best knowledge, because I know that is what you are trying to get at.

Mr. BOYLEN. Senator, may I ask a question? I have spoken with Mr. Sachs. He is my employee; in fact, my right-hand man in my business. I have the utmost faith in him personally. I tell you this, to state my own position. I feel this, that what Mr. Sachs will tell you tonight, with or without the advice of counsel—and I only advise counsel because the line seems to indicate there might be some perjury here even though it is involuntary. I don't know where the law puts the point. In other words, where do you draw the line, whether the perjury is voluntary or involuntary?

Mr. COHN. There is no such thing as involuntary perjury. Perjury must be willful.

Mr. BOYLEN. I know one thing, and I am trying to recollect back ten or eleven years—

The CHAIRMAN. We have a rule that counsel cannot take part, so we cannot let you. If you want to advise your employee to get counsel, you can do it. I do not want to hear argument on it.

The question is: Do you want an adjournment to get counsel, or do you want to proceed?

[Mr. Sachs confers with Mr. Boylen.]

Mr. SACHS. The point is if I tell them something and I do not honestly recollect the circumstances, then I am considered to perjure myself.

The CHAIRMAN. Mr. Sachs, unless you have an unusual mind, you know whether you paid the Young Communists money.

Mr. SACHS. Senator, I can honestly say—

The CHAIRMAN. The question is: Do you want to proceed now with your testimony, or do you want an adjournment to get counsel? That is all I want to ask you. And we can proceed with the questioning.

Mr. SACHS. I think I had better adjourn to get counsel. Because I may be doing something which unknowingly will harm me.

The CHAIRMAN. You want to get counsel? You may have the adjournment.

Mr. SACHS. Can I ask something else?

The CHAIRMAN. Certainly.

Mr. SACHS. It just so happens I am in the middle of moving into a home, and I don't know if it is possible or not, but I would like sufficient time to just move, if I can.

The CHAIRMAN. I think that is a reasonable request.

Mr. SACHS. I don't know how long the hearings are going on.

The CHAIRMAN. How long will it take you to move?

Mr. SACHS. I am moving on Monday.

The CHAIRMAN. How many days will it take you?

Mr. SACHS. By the time I am settled, until Tuesday or Wednesday.

The CHAIRMAN. We will give you at least a week, then. We will not call you back until some time late next week or early the following week. That will give you sufficient time, will it not, to see your counsel?

Mr. SACHS. I think so. That is very fair of you.

The CHAIRMAN. We will call you back.

Mr. COHN. You mentioned the name of Alfred Sarant, and then you mentioned an additional name. What was that?

Mr. SACHS. Ralph Cricker.

Mr. COHN. Where is Mr. Cricker today?

Mr. SACHS. I don't know.

Mr. COHN. When is the last you heard of him?

Mr. SACHS. The last I heard of him was when, shortly after we left school, he got a job working for some motor company up in Connecticut somewhere, and I have not seen him or heard of him since.

Mr. COHN. When did you first hear of Alfred Sarant?

Mr. SACHS. You mean actually hear of him in terms of where he was?

Mr. COHN. Yes.

Mr. SACHS. Well, the last I saw of him was in 1946. The last I heard of him was one year ago.

Mr. COHN. What were the circumstances of your seeing him in '46?

Mr. SACHS. An FBI agent visited me.

[Mr. Boylen confers with Mr. Sachs.]

Mr. SACHS. Oh, when did I hear of him in '46?

Mr. COHN. You said you last saw him in '46.

Mr. SACHS. Yes.

Mr. COHN. Where was that?

Mr. SACHS. In New York City.

Mr. COHN. In whose company was he?

Mr. SACHS. Alone.

Mr. COHN. Did you just run into him?

Mr. SACHS. No. I had just gotten married after I got out of the service, and I happened to be staying with my mother-in-law in New York.

Mr. COHN. What did he do? Call up?

Mr. SACHS. He happened to call that weekend, and I happened to be with my wife.

Mr. COHN. Whom did he call?

Mr. SACHS. He called my wife to find out, I think, if she knew anything about me. Because at that time he didn't know I was married. I don't know. It is hard to recollect.

Mr. COHN. Did you know he was a Communist espionage agent?

Mr. SACHS. No, I did not.

Mr. COHN. Do you know now that he has escaped to the Soviet Union?

Mr. SACHS. I was told this one year ago by an agent of the FBI.

The CHAIRMAN. I missed part of your answer. Was he a friend of your wife's?

Mr. SACHS. No; just through him knowing me.

The CHAIRMAN. I see. He called her because he knew you?

Mr. SACHS. Yes.

The CHAIRMAN. I do not think we should ask you any more questions if you want to get counsel. May I say to you, Mr. Sachs, for your information that I have no way of knowing whether the other witnesses are telling the truth or whether you are. All I know is

that with your testimony here that you did not join the YCL and did not pay it any money someone has perjured himself before the committee.

So I would suggest, number one, that you get a lawyer who is not a Communist, a good, honest, lawyer; number two, that you tell him everything.

Mr. SACHS. I will tell him everything.

The CHAIRMAN. You see, your lawyer cannot tell us what you told him. There is a privilege between lawyer and client. So you can tell him anything. Tell him about any Communist activities of yours, everything. Then you follow his advice. And counsel will tell you when to come back.

You will consider yourself under subpoena in the meantime.

Mr. SACHS. And, Senator, what does that mean? That what I told you tonight is off the record, or stricken from the record?

The CHAIRMAN. Everything is on the record. I may say this. We have had a number of witnesses before us who did not tell us the truth, who lied, who perjured themselves. They, after thinking it over, decided to come clean, and we agreed to strike all the previous record for them so that they would not be subject to perjury charges. If you decided after thinking this over, that you were not telling us the truth, and if you come in and tell us you want to change your story, while I am not making you any previous promises, we will definitely let you know then whether we will strike out the previous testimony.

Mr. SACHS. Well, Senator, I will just really have to think about it, but I can only say just in parting that, to the best of my recollection, I told you the truth.

The CHAIRMAN. Well, think it over and talk to your lawyer. Will you?

Mr. SACHS. I certainly will.

TESTIMONY OF BENJAMIN WOLMAN (ACCOMPANIED BY HIS COUNSEL, VICTOR ABRAMOWITZ) (RESUMED)

The CHAIRMAN. Rather than have the reporter try to find the last question asked, let me re-ask the question: Prior to your marriage, did anything occur that gave you any reason to suspect that your wife was either a Communist or a Communist sympathizer?

Mr. WOLMAN. I still feel Mr. Senator, that you are asking me something that it is almost impossible to put a finger on, the question of sympathizing—

The CHAIRMAN. Just answer. I do not want any speech from you.

Mr. WOLMAN. If you insist on an answer, I will say "no." But I think it is unfair to ask me to answer on a question as intangible as that.

The CHAIRMAN. Well, at this time, then, you cannot recollect anything that occurred prior to your marriage which would give you any reason to suspect or think that your wife might be a Communist or a Communist sympathizer? Your answer is "no"?

Mr. WOLMAN. Yes.

The CHAIRMAN. Is the answer "no"?

Mr. WOLMAN. Yes, sir, I think it is unfair to expect me to—

The CHAIRMAN. Oh, I know it is awfully unfair to ask you whether your wife was a Communist.

Mr. COHN. You were married November 3, 1946?

Mr. WOLMAN. I am not sure of the date, but it was 1946.

Mr. COHN. About that time, specifically in 1943 and 1944, was your wife in charge of the Export Department of the Four Continent Book Corporation?

[Mr. Abramowitz confers with Mr. Wolman.]

Mr. WOLMAN. I do not know the date.

Mr. COHN. Was she ever connected with the Four Continent Book Corporation?

Mr. WOLMAN. I am trying to remember whether such a statement was ever made by her to me.

[Mr. Abramowitz confers with Mr. Wolman.]

Mr. WOLMAN. I plead the privilege of married couples.

The CHAIRMAN. You are not entitled to that privilege. This goes to a period before the marriage.

Mr. ABRAMOWITZ. The question did not go to that, sir.

Mr. COHN. Mr. Chairman, I submit this is not a confidential communication anyway.

The CHAIRMAN. This would not be a confidential communication with your wife. You have no marriage privilege there.

Mr. COHN. I ask a directed answer.

Mr. WOLMAN. I might point out I never knew my wife in '43 and '44.

Mr. COHN. Now, look. Would you please answer the question, Mr. Wolman? I would like to get some truthful answers.

Mr. WOLMAN. I have been giving you truthful answers.

Mr. COHN. She was your wife, and I assume you know something about what she did just prior to your marriage.

Mr. WOLMAN. This was not just prior to the marriage.

Mr. COHN. Do you know she was connected with the Four Continent Book Corporation?

The CHAIRMAN. At any time?

Mr. WOLMAN. At any time, leaving out those dates—because that I do not know—I believe she was.

The CHAIRMAN. Let me ask you something. Why do you stall about that? Why do you try to avoid it? We are going to stay here and get the truth from you.

Mr. WOLMAN. What is that?

The CHAIRMAN. You might as well make up your mind. Why are you afraid to tell counsel.

Mr. WOLMAN. This gentleman asked me specific dates. I don't know those dates. That I affirm to you.

Mr. COHN. You know, don't you, that the Four Continent Book Corporation was one of the best known subsidiaries of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. You taught social studies, did you not?

Mr. WOLMAN. Yes, sir.

Mr. COHN. You never heard of the Four Continent Book Corporation in connection with the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. This is the first you have heard of it?

Mr. WOLMAN. That is right.

Mr. COHN. You never heard that before from anybody.

Mr. WOLMAN. Yes, sir.

Mr. COHN. Or your wife?

Mr. WOLMAN. That is privileged, sir.

Mr. COHN. Now when I ask you if you have heard it from your wife, you say it is privileged.

Mr. WOLMAN. I stand on the privilege.

The CHAIRMAN. Let me ask you. Did you ever hear from anyone that this organization was a Communist-controlled outfit?

Mr. WOLMAN. No, sir.

The CHAIRMAN. From anyone including your wife?

Mr. WOLMAN. You differentiated there. I said I stand on the privilege with regard to my wife.

The CHAIRMAN. Anyone on earth, anyone, and I include every person you know; did you hear from anyone that it is a Communist controlled outfit? Do you stand on the privilege there?

Mr. WOLMAN. Sir? With regard to my wife, yes. With regard to the others, I have answered truthfully, sir. With regard to anyone else, the answer is: no.

The CHAIRMAN. While I am asking you a question, you will be quiet.

The question is: Did you ever hear from anyone that this was a Communist-controlled organization? What is your answer?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Does that include your wife? Or are you excepting her from the answer?

Mr. WOLMAN. Well, I wanted to except her from the answer, only in order to keep this privilege of a married couple.

Mr. COHN. There is no general privilege.

Mr. ABRAMOWITZ. Will the senator—

The CHAIRMAN. No.

Mr. ABRAMOWITZ. I just wanted to suggest that the witness answer the question. I am sorry. I won't interrupt again.

Mr. COHN. As your counsel will advise you, as I hope he will advise you, because it is the law, there is no general privilege. You can only assert it as to a specific question if a confidential communication between you and your wife is involved. There is no such thing as preserving a privilege as to anything. It can only be claimed with respect to a specific question on a specific point, if you have reference to a confidential communication made in the course of the marital relationship by your wife to you.

Mr. WOLMAN. With that understanding, I tried to answer it for my wife. When the question was made to include everyone else, the answer was "no," and thought I stated that flatly.

Mr. COHN. Were you a member—

Mr. WOLMAN. May I make the point? I don't know whether anyone even mentioned the place to me, but I did know the name. But you raise another question: Did I know whether Four Continent was part of something else? And to that I told you "no."

Mr. COHN. Were you, in 1947, a member of the Brownsville Section of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. Did you attend meetings of the Brownsville Section of the Communist party in 1947?

Mr. WOLMAN. No, sir.

Mr. COHN. And if witnesses come in here and say you did, and they attended them with you, they are lying; is that your testimony?

Mr. WOLMAN. Well, I don't know what witnesses you have that could swear to that or could state that.

Mr. COHN. I say if any witnesses have sworn to that, they are not telling the truth; is that right?

Mr. WOLMAN. That is right.

Mr. COHN. You never attended?

Mr. WOLMAN. That is right.

Mr. COHN. Did you ever attend any Communist party meeting with your wife?

Mr. WOLMAN. No, sir.

Mr. COHN. You never attended any Communist party meeting at all?

Mr. WOLMAN. No, sir.

Mr. COHN. Did anyone ever ask you to go to a Communist party meeting?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Did your wife ever attend any Communist party meetings?

Mr. WOLMAN. Husband and wife privilege, sir.

The CHAIRMAN. That will not be privileged. There is nothing privileged about her attending a meeting. If she attended a meeting, she could not be alone. You are ordered to answer.

Mr. WOLMAN. I have to retain that privilege, sir.

The CHAIRMAN. You are ordered to answer. Do you still refuse?

Mr. WOLMAN. I don't refuse. I stand on the privilege, which you yourself indicated to me or this man indicated to me I had.

The CHAIRMAN. Have the record show that the witness has been ordered to tell whether his wife attended Communist meetings. Let the chair have the record show that the chair has instructed him that there is nothing confidential about her attending a meeting attended by other Communists. He does not have the privilege. And he still refused to answer.

Mr. COHN. Was a Communist party meeting ever held in the home of yourself and your wife?

Would you read the question to him, please?

Mr. WOLMAN. I got the gist of it. Not to my knowledge, sir.

Mr. COHN. Not to your knowledge. Would there be any doubt about it in your mind?

Mr. WOLMAN. Let's say at any time when I was in the house on present.

Mr. COHN. Was any held in your home when you were not present?

Mr. WOLMAN. That would be difficult for me to answer. How could I answer that? You meant to my knowledge, was any held while I was not in the house?

Mr. COHN. Yes.

Mr. WOLMAN. I don't know.

The CHAIRMAN. Did anyone ever tell you one was held in your house while you were not present?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Did you ever have any reason to believe there were Communist meetings held at your home?

Mr. WOLMAN. Do I have any reason for believing that?

The CHAIRMAN. Yes.

Mr. WOLMAN. I don't think so.

Mr. COHN. You are an assistant principal of a school. How many students are there in the school?

Mr. WOLMAN. Well, in my particular building about six hundred.

Mr. COHN. About six hundred students, and you are the assistant principal. You have taught social studies and everything else. And it is a matter of conjecture, it is a difficult question, when I ask you if you didn't have reasonable grounds to believe there were Communist meetings held at your home.

Mr. WOLMAN. You asked me if I had any reason for believing one was held, and I said "no."

Mr. COHN. Is the answer "no," you don't think so? Is there any doubt about it in your mind?

Mr. WOLMAN. To the best of my knowledge, no.

Mr. COHN. Is there any doubt about it in your mind? That is a pretty important point.

Mr. WOLMAN. I don't think there is any doubt about it, if I said "no," I don't have any reason for believing there was such a meeting.

Mr. COHN. You are saying to us categorically there is no reason whatsoever, including what your wife told you, that led you to believe a Communist meeting had been held in your home?

Mr. WOLMAN. I have no—

[Mr. Abramowitz confers with Mr. Wolman.]

Mr. WOLMAN. Except for the husband and wife privilege, my answer is as before, no.

The CHAIRMAN. You have waived the privilege, Mister, when you said that nothing ever came to your attention to indicate there was a Communist meeting in your home that would include your wife, so you have waived the privilege. You cannot assert that privilege anymore.

Mr. WOLMAN. I don't understand.

The CHAIRMAN. I just got through telling you that when you were asked the question whether or not anything ever occurred or any information ever came to your attention that Communist party meetings were ever held in your home, when you answered that without excepting your wife, you have waived any privilege.

Mr. WOLMAN. I have attempted at every point to indicate that there is a relationship between myself and my wife. I stand on the privilege.

The CHAIRMAN. You will answer counsel's question. You will be ordered to answer, because you have waived the privilege.

Mr. WOLMAN. I still stand on that privilege.

Mr. COHN. Did you attend Communist party meetings in 1945 with a woman named Diana Muldover, whom you later married?

Mr. WOLMAN. I stated before: I never attended a Communist party meeting.

Mr. COHN. Mr. Chairman, I don't want to ask this witness any more questions. He is committing perjury right and left, and I think we ought to prove it.

The CHAIRMAN. He is in contempt of the committee and has committed perjury. I think this is a waste of time, except, Roy, I think we should have the record very clear.

The last question was: Did you ever attend any Communist party meetings with Diana Muldover?

Mr. WOLMAN. In 1945? I said "no."

The CHAIRMAN. Did you ever attend any Communist party meetings—

Mr. WOLMAN. I said "no" earlier.

The CHAIRMAN. Let me finish the question now.

Mr. WOLMAN. I didn't mean to interrupt. I thought that was the question you were asking.

The CHAIRMAN. Did you ever attend any Communist party meetings with Diana Muldover at any time?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Did you ever attend any meetings of the Young Communist League with Diana Muldover?

Mr. WOLMAN. No, sir.

The CHAIRMAN. What was you wife's name prior to marriage?

Mr. WOLMAN. Muldover.

The CHAIRMAN. How do you spell it?

Mr. WOLMAN. M-u-l-d-o-v-e-r.

The CHAIRMAN. Did anyone invite you and Diana Muldover to attend Communist party meetings or meetings of the Young Communist League?

Mr. WOLMAN. No. You said invite us, and I said "no."

The CHAIRMAN. Did anyone invite you?

Mr. WOLMAN. No, sir.

The CHAIRMAN. And Diana Muldover never indicated to you that she was a member of the Communist party?

Mr. COHN. Did Diana Muldover ever indicate to you that she was a member of the Communist party?

Mr. WOLMAN. No, sir.

The CHAIRMAN. Did she ever indicate to you that she was engaged in any Communist activities?

Mr. WOLMAN. No, sir.

The CHAIRMAN. I think the record is clear enough. You may step down. You will consider yourself under subpoena.

Who is the principal of your high school?

Mr. WOLMAN. It is not high school; an elementary school. Mr. Janoson.

The CHAIRMAN. What is his first name?

Mr. WOLMAN. Harry.

The CHAIRMAN. Did any of your students ever attend any meetings in your home, or were they ever present in your home?

Mr. WOLMAN. I don't know of a single instance where any student of mine—let me think back.

No, sir.

Mr. COHN. Is your wife a teacher today?

Mr. WOLMAN. Yes, sir.

Mr. COHN. What school?

Mr. WOLMAN. Thomas Jefferson.

Mr. COHN. Is she a member of the Communist party?

Mr. WOLMAN. Privilege, sir.

The CHAIRMAN. Did you ever attend any meetings with any of your students?

Mr. WOLMAN. Well, I was once in charge of the Arista Society. It is an honor society in school. Is that what you mean, in connection with a school club or school organization, specifically school?

The CHAIRMAN. How do you spell that word?

Mr. WOLMAN. A-r-i-s-t-a. It is an honor society.

The CHAIRMAN. Did you have meetings of this honor society outside of the school?

Mr. WOLMAN. No. I might point out I was in charge only for a period of less than a year.

The CHAIRMAN. The answer is "yes," or "no."

Mr. WOLMAN. Well, I said "no." And then I wanted to point out—

The CHAIRMAN. I don't want your speech. I just asked you a question.

Mr. WOLMAN. I am not making a speech, sir. I have neither the ability nor the inclination. No meeting was held outside of the high school.

The CHAIRMAN. Did you attend any meetings with any of your students outside of the school, meetings of any kind? The answer is "yes," or "no."

Mr. WOLMAN. No, sir, I know of no such meeting.

Mr. COHN. Do you know a man named Dave Flax?

Mr. WOLMAN. I know a man of that name. He must be a teacher.

Mr. COHN. Did you ever attend a Communist meeting with him?

Mr. WOLMAN. No, sir.

Mr. COHN. You were never in the same section of the Communist party with him?

Mr. WOLMAN. Yes, sir.

Mr. COHN. That is your sworn testimony?

Mr. WOLMAN. Yes.

Mr. COHN. Mr. Abramowitz, we would like to ask to have that doctor's certificate in the morning at 10:30, if we may.

Did your wife teach today?

Mr. WOLMAN. No, sir.

Mr. COHN. She was home sick?

Mr. WOLMAN. Yes.

Mr. COHN. Was she out at all during the day?

Mr. WOLMAN. She was out in the morning. We had been served last night. As a matter of fact, I was the one to receive the service.

Mr. ABRAMOWITZ. I will be here myself tomorrow morning at 10:30. Whether I can get the certificate physically by that time—

The CHAIRMAN. What is the name of the doctor?

Mr. WOLMAN. I called Dr. Eisenstein.

The CHAIRMAN. What is his address?

Mr. WOLMAN. His office address is 179 Herch Street in Brooklyn, H-e-r-c-h.

The CHAIRMAN. And what is his first name?

Mr. WOLMAN. Henry.

Mr. COHN. E-i-s-e-n-s-t-e-i-n?

Mr. WOLMAN. E-i-s-e-n-s-t-e-i-n.

The CHAIRMAN. Is it your testimony that you called the doctor to attend your wife? Come over and sit down. It is your testimony that you called——

Mr. WOLMAN. Dr. Eisenstein. This afternoon.

The CHAIRMAN. This afternoon. To attend your wife?

Mr. WOLMAN. Yes, sir.

The CHAIRMAN. And he told her she could not testify tonight?

Mr. WOLMAN. He didn't come at that time. I left before he came. I called up to find out how she was, and what I got was on the phone, that he had been over there and told her to remain in bed.

The CHAIRMAN. He told you he had been over there?

Mr. WOLMAN. Not he. My wife told me, sir.

The CHAIRMAN. Your wife told me?

Mr. WOLMAN. My wife. It was in a phone conversation.

The CHAIRMAN. Did your wife tell you that the doctor told her she could not testify tonight?

Mr. WOLMAN. I don't know that she asked that question, sir. All I asked was: how was she? She was in bed at the time I left the house, as a matter of fact, at about 6:30 or thereabouts.

The CHAIRMAN. Was she all right last night when you were served with the subpoena?

Mr. WOLMAN. I imagine reasonably well. There was no reason for suspecting that she was ill yesterday. I mean, I didn't see her ill last night.

The CHAIRMAN. Why could not she testify tonight? What is wrong with her?

Mr. WOLMAN. She told me on the phone that the doctor had said, a virus.

The CHAIRMAN. A virus infection?

Mr. WOLMAN. I assume that is what was meant. I didn't ask her.

The CHAIRMAN. Was she out this morning?

Mr. WOLMAN. Well, frankly, I didn't know whether she was ill——

The CHAIRMAN. Was she out of the house this morning?

Mr. WOLMAN. Yes, she was.

The CHAIRMAN. Where did she go this morning?

Mr. WOLMAN. Well, I was going to contact——

Mr. ABRAMOWITZ. Where did she go this morning? That is what the question was.

The CHAIRMAN. Where did she go this morning?

Mr. WOLMAN. She went with me downtown into New York.

The CHAIRMAN. She was perfectly all right then, was she not?

Mr. WOLMAN. You said "perfectly." I don't know whether she was or not. She was probably upset anyway, as far as that is concerned. But as far as illness in terms of the usual symptoms of virus or cold, I didn't see any.

The CHAIRMAN. When did she first complain that she was sick?

Mr. WOLMAN. I would say when we got home it must have been about 2:30.

Mr. JONES. She was running a high fever tonight?

Mr. WOLMAN. When I was there, yes, sir. As I say, I left before the doctor came.

The CHAIRMAN. Step down. You will wait out in the anteroom until we contact the doctor.

Will you raise your right hand?

In this matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MINS. I do.

Mr. COHN. May we have your full name, please?

**TESTIMONY OF LEONARD E. MINS (ACCOMPANIED BY HIS
COUNSEL, VICTOR ABRAMOWITZ)**

Mr. COHN. And, Mr. Mins, did you ever have anything to do with the writing of a radar manual or a manual connected in any way with radar?

Mr. MINS. I never wrote a radar manual.

Mr. COHN. Did you ever have anything to do with the preparation of it?

Mr. MINS. I never had anything to do with the preparation of a radar manual.

Mr. COHN. Did you ever have anything to do with a radar manual in any form, shape, or manner?

Mr. MINS. No. Did I have anything to do with it? What do you mean by that?

Mr. COHN. Pardon me?

Mr. MINS. Did I ever see one? Well, during work in the war I saw things of that sort, marked restricted, of course.

Mr. COHN. I see. Did you ever have anything to do with things of that sort?

Mr. MINS. I wrote a pamphlet, an ordnance pamphlet during the war.

Mr. COHN. What was the pamphlet you wrote?

Mr. MINS. 1060.

Mr. COHN. What did it concern?

Mr. MINS. Gun directing.

Mr. COHN. Did that involve radar materials at all?

Mr. MINS. I didn't handle the radar part of it.

Mr. COHN. Was there a radar part in it?

Mr. MINS. Radar is mentioned in that manual only to the extent that it was possible for restricted information to be published there. Anything beyond the restricted classification, confidential, secret, top secret, was out.

Mr. COHN. Radar was mentioned in connection with this pamphlet?

Mr. MINS. Was mentioned, yes.

Mr. COHN. For whose use was this pamphlet written?

Mr. MINS. BuOrd, Bureau of Ordnance.

Mr. COHN. Of the United States Army?

Mr. MINS. Navy.

Mr. COHN. Was this used by the army at all?

Mr. MINS. I have no idea.

Mr. COHN. This was written specifically for the navy?

Mr. MINS. It was a navy contract.

Mr. COHN. When you participated in the writing of this contract, were you a member of the Communist party?⁸

Mr. MINS. I want to read you something, sir.

Mr. COHN. No, don't read me anything. Answer my question.

Mr. MINS. I am answering your question.

The CHAIRMAN. You will answer that question.

Mr. MINS. I will answer that question.

The CHAIRMAN. You will answer it "yes," or "no."

Mr. MINS. I will answer it by saying that no person shall be compelled to be a witness against himself.

The CHAIRMAN. You are refusing to answer on the ground that no one need be a witness against himself?

Mr. MINS. I am refusing to answer it on the grounds cited in the Constitution verbatim. I don't construe the Constitution. I merely cite it.

The CHAIRMAN. Do you feel that if you were to tell us the truth—

Mr. MINS. I feel nothing, sir. I feel nothing, and I don't believe you have the right to draw any inferences from what I say.

The CHAIRMAN. Do you feel if you were to tell us the truth as to whether you were a member of the Communist party at the time you wrote this pamphlet, that truthful answer might tend to incriminate you?

Mr. MINS. I repeat: No person shall be compelled to be a witness against himself.

The CHAIRMAN. You will be ordered to answer, unless you tell me you feel that a truthful answer would tend to incriminate you.

Mr. MINS. I don't believe the courts require that that inference be drawn. I am citing the Fifth Amendment to you, Senator, and I think that suffices. You draw the inferences. I cite the amendment.

The CHAIRMAN. Do you refuse to answer on the ground that a truthful answer might tend to incriminate you?

Mr. MINS. I repeat: No person shall be compelled to be a witness against himself.

The CHAIRMAN. That is all right. We can stay here, Mister. Do you feel that a truthful answer to the question of whether or not you were a Communist at the time you wrote this pamphlet would tend to incriminate you?

Mr. MINS. Do you consider this a conflict of wills? I can repeat that as long as you ask the question. No person shall be compelled to be a witness against himself.

The CHAIRMAN. I will cite you for contempt finally on this.

Mr. MINS. I repeat: No person shall be compelled to be a witness against himself.

The CHAIRMAN. Are you refusing to answer the question?

Mr. MINS. I am refusing to answer the question on the ground of the protection afforded by the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Will you have the record show that the witness first was asked whether he was a member of the Communist party

⁸Leonard Mins wrote for the *New Masses* in the 1930s. Among his other publications was an "authorized translation of the *Manifesto of the Communist Party* by Karl Marx and Frederick Engels (Moscow-Leningrad: Society of Foreign Workers in the U.S.S.R., 1935).

at the time he wrote this pamphlet for the Bureau of Ordnance. He refused to answer. Have the record show the chairman then asked him whether or not he felt that a truthful answer would tend to incriminate him. He has refused to answer that. Therefore the chair feels that he is not entitled to the privilege in so far as the first question is concerned. He has been ordered to answer that question. He is now ordered to answer the question of whether or not he was a member of the Communist party at the time he wrote this pamphlet.

Will you have the record show that the witness sits mute and refuses to answer.

Mr. MINS. The witness does not sit mute. The record does not show anything of the sort, Senator. The record shows that the witness refuses to answer that question on the grounds of the protection afforded him by the Fifth Amendment, period.

The CHAIRMAN. Are you a member of the Communist party as of today?

Mr. MINS. I cite the privilege of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Do you feel that if you were to tell the truth as to whether you were a Communist today, that truthful answer might tend to incriminate you?

Mr. MINS. I give you the same answer that I gave you to the series of questions, or the repeated question you gave me just a few minutes ago.

The CHAIRMAN. Mister, you put yourself in contempt as often as you like. We will give you full opportunity. Have the record show that the witness was asked whether or not he was a Communist as of today. He has refused to answer. The chair has asked him whether or not he feels that a truthful answer might tend to incriminate him. Have the record further show that the chair now instructs the witness that he is entitled to the privilege of the Fifth Amendment only if he feels the truth might tend to incriminate him. He has no protection in case he intends to perjure himself. For that reason I must ask him whether or not he feels that a truthful answer might tend to incriminate him. He refused to tell me whether or not he feels a truthful answer would tend to incriminate him. Therefore, he is ordered to answer the original question of whether or not he is a member of the Communist party as of today.

Mr. MINS. May I ask you a question, Senator?

The CHAIRMAN. No, you may not.

Mr. MINS. I may not. I will tell you something, instead of answering it. I am not a lawyer, sir, but my understanding is that a witness invoking the Fifth Amendment——

[The chairman pounds with the gavel.]

Mr. MINS [continuing]. Does not have to construe the Fifth Amendment. It is as simple as all that.

The CHAIRMAN. Are you refusing to answer that question?

Mr. MINS. I refuse to answer on the grounds of the protection afforded me by the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Have you engaged in espionage?

Mr. MINS. I answer in the same fashion. No person shall be compelled to be a witness against himself.

The CHAIRMAN. Do you feel if you were to tell me the truth as to whether you engaged in espionage, a truthful answer might tend to incriminate you?

Mr. MINS. I repeat the answer that I have given you to that question before.

The CHAIRMAN. Then you are ordered to answer the question whether or not you engaged in espionage.

Mr. MINS. I cite my answer that no person shall be compelled by you or anyone else to be a witness against himself. That is a constitutional protection, Senator.

The CHAIRMAN. Have you engaged in sabotage?

Mr. MINS. I cite you the same answer. The Fifth Amendment specifies that no person shall be compelled to be a witness against himself. I invoke that privilege.

The CHAIRMAN. Do you feel that if you were to tell me the truth as to whether or not you were engaged in sabotage, that truthful answer might tend to incriminate you?

Mr. MINS. We have gone over this before, have we not, Senator? Are you building up a case? I cite you the same answer.

The CHAIRMAN. You are then ordered to answer whether or not you ever engaged in sabotage.

Mr. MINS. My answer to that question is, I refuse to answer under the protection afforded me by the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. That is four, is it not?

Mr. MINS. Are you counting, Senator? You can get plenty more, I assure you. My patience and my endurance are just as long as yours. I understand you are a man of great endurance. So am I. I once worked eighty hours on end, Senator.

Mr. COHN. For whom were you working eighty hours on end?

Mr. MINS. A firm in Law Street that translated a hundred thousand word deposition.

The CHAIRMAN. Were you part of an espionage ring between 1945 and 1953?

Mr. MINS. I didn't hear the beginning of that, Senator.

The CHAIRMAN. Strike that.

Have you ever engaged in any illegal activity in connection with membership in the Communist party, or in connection with Communist party activities?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Where did the radar information used in this pamphlet come from?

Mr. MINS. I don't know. It was brought to the office of the firm I worked for.

The CHAIRMAN. What was the name of it?

Mr. MINS. Walter Dorwin, D-o-r-w-i-n, Teague, T-e-a-g-u-e.

Mr. COHN. That is the firm that had the contract from the Bureau of Ordnance?

Mr. MINS. No, it isn't. That is a firm that had a subcontract from General Electric.

Mr. COHN. General Electric had the contract from the Bureau of Ordnance, and they had the subcontract?

Mr. MINS. That is right.

Mr. COHN. And the radar material was supplied to your firm? You don't know who supplied it?

Mr. MINS. I don't know who supplied it.

Mr. COHN. Was that supplied from the Signal Corps?

Mr. MINS. As far as I know, it was not.

Mr. COHN. Where do you think it came from?

Mr. MINS. I am sorry.

Mr. COHN. Where do you think it came from?

Mr. MINS. It all had navy stamps on it. They were navy publications.

Mr. COHN. Was this classified?

Mr. MINS. I believe at that time it was classified restricted.

Mr. COHN. At that time it was classified restricted. Is that right?

Mr. MINS. Yes.

Mr. COHN. Radar was involved in this question of gun direction; is that right?

Mr. MINS. Yes, the pictures showed a radar antenna on top of the director, but the operation of the radar and everything else was left out.

Mr. COHN. Did that involve Radar Project No. 270?

Mr. MINS. Never heard of it.

The CHAIRMAN. May I interrupt? Did this involve gun direction by radar?

Mr. MINS. It involved gun direction by radar and by optical telescopes, both in parallel.

The CHAIRMAN. One other question. I am not sure if you understood counsel. He asked you whether or not the material that came to you, from which you got your information for the writing of this manual, was classified.

Mr. MINS. Oh, yes, much of it was classified, although none of it was classified higher than confidential.

The CHAIRMAN. In other words, confidential or restricted?

Mr. MINS. Confidential or restricted.

The CHAIRMAN. And about how many confidential or restricted pamphlets did you have in connection with your writing of this pamphlet?

Mr. MINS. Oh, good Lord. That is a hard question to answer. I worked on that for—let me see—the better part of two and a half years. And they varied. Some stuff would be brought in, gotten rid of, brought in, returned to General Electric or to BuOrd. I don't know. Twenty, thirty. I can't give you a figure. It could be twenty, ten, thirty, forty.

The CHAIRMAN. Did you ever discuss any of this classified material with any member of the Communist party?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Did you ever turn any of this classified material over to an espionage agent?

Mr. MINS. I invoke the privilege of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. I wish you were over in Russia before a Russian tribunal and invoked the Fifth Amendment.

Mr. MINS. I don't know that they have a Fifth Amendment there, Senator.

The CHAIRMAN. You would not last very long, Mister.

Mr. COHN. Mr. Mins, where were you physically located at the time you wrote this pamphlet?

Mr. MINS. That is a strange thing. Where did I live, or——

Mr. COHN. Did you write this at your office?

Mr. MINS. I worked for Walter Dorwin Teague.

Mr. COHN. Where is that office?

Mr. MINS. 444 Madison Avenue. If you asked me the questions directly, I would tell you.

Mr. COHN. We have information here to the effect that at the time you prepared this pamphlet you were in the service of Soviet military intelligence. Is that true?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Are you in the service of Soviet military intelligence——

Mr. MINS. I cite the——

Mr. COHN. Do you want to hear my question?

Mr. MINS. I heard it. Am I in the service of Soviet military intelligence?

Mr. COHN. At this time.

Mr. MINS. I am sorry. I cite the text of the Fifth Amendment. No person shall be compelled to be a witness against himself.

Mr. COHN. Were you employed by the Office of Strategic Services, by OSS?

Mr. MINS. Yes.

Mr. COHN. While you were employed by the OSS, were you a member of the Communist party?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. When you were employed by OSS, were you also on the payroll of Soviet Military Intelligence?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. In addition to this one pamphlet, 1060, did you prepare any other material for the armed forces of the United States?

Mr. MINS. No.

The CHAIRMAN. When you were preparing this pamphlet and handling this classified material over that two and a half year period of time, were you on the payroll of Soviet Military Intelligence?

Mr. MINS. I think I answered that. I will answer it again. I cite the privilege of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Do you feel that a truthful answer to that might tend to incriminate you?

Mr. MINS. I feel nothing, Senator. I cite merely the privilege that I have constitutionally, of not being compelled to be a witness against myself.

The CHAIRMAN. Do you feel that a truthful answer might tend to incriminate you?

Mr. MINS. I cite the text of the Fifth Amendment that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Then you are ordered to answer the question of whether or not you were on the payroll of Soviet Military Intelligence at the time you were preparing this pamphlet.

Mr. MINS. You order me to answer. My answer is that the privilege of the Fifth Amendment specifies that no person shall be compelled to be a witness against himself. I invoke that constitutional privilege.

Mr. COHN. Now, while you were preparing this pamphlet for the navy, were you a teacher at the Workers School?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Have you worked for the International Union of Revolutionary Writers?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Have you been engaged in espionage with a man named Nicholas Dozenberg, D-o-z-e-n-b-e-r-g?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Mr. Chairman, I feel that this witness is not cooperative.

Mr. MINS. Understatement, isn't it, Mr. Cohn? I don't think the committee was very cooperative in serving me at twelve-thirty this afternoon.

Mr. COHN. What is your occupation now?

Mr. MINS. Translator.

Mr. COHN. For whom?

Mr. MINS. For myself.

The CHAIRMAN. You have got your own business, you mean?

Mr. MINS. Yes.

The CHAIRMAN. What is the address of it?

Mr. MINS. Same address I live at.

The CHAIRMAN. What is that address?

Mr. MINS. 130 West 57th Street.

The CHAIRMAN. What language do you translate?

Mr. MINS. The languages that I know, French, German, and Russian.

The CHAIRMAN. Ever lived in Russia?

Mr. MINS. I cite the text of the Fifth Amendment that no person shall be compelled to be a witness against himself.

The CHAIRMAN. Ever attend the Lenin School of sabotage and espionage?

Mr. MINS. I don't know what school it is, but I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself.

Mr. COHN. Do you believe in the overthrow of the government of the United States and its Constitution by force and violence?

Mr. MINS. I cite the text of the Fifth Amendment, that no person shall be compelled to be a witness against himself. I also cite the text of the First Amendment in that connection, that my beliefs are not the subject for anybody's inquiry.

The CHAIRMAN. Where were you born?

Mr. MINS. You will be very much surprised, Senator, but I was born in Yonkers, New York. You asked for it. I suppose you wanted me to say "Odessa," didn't you?

The CHAIRMAN. No, we have a lot of Commies born in this country.

You will consider yourself under subpoena. Your counsel will be notified when you are wanted.

Mr. MINS. I hope with a little more time.

The CHAIRMAN. You are instructed to keep in touch with him each day so he will know where you are, so that we will not have to look for you to serve you.

Mr. MINS. You didn't today. You can find me at 130 West 57th all the time.

The CHAIRMAN. It is rather difficult at this time to tell you when you will be called. It will perhaps be, I would say, roughly, two weeks. And, Mr. Counsel, we will contact you and not contact the witness.

You may step down.

Mr. COHN. Did we get the year of the preparation this pamphlet from you?

The CHAIRMAN. What years did you work on that?

Mr. MINS. I think from the fall of '43 to—wait a second. I have to add something to what I said before.

From the fall of '43 to, I believe, the winter of '45-'46. And after that I started work on a gun director for a three-inch gun. I don't remember what number. I never finished it.

Mr. COHN. Did that involve radar?

Mr. MINS. No.

The CHAIRMAN. What kind of a gun director?

Mr. MINS. Three inch.

The CHAIRMAN. Was it a visual direction?

Mr. MINS. Optical.

The CHAIRMAN. Had nothing to do with radar?

Mr. MINS. No, no radar.

The CHAIRMAN. Who paid you for the first pamphlet?

Mr. MINS. I was on salary for Walter Dorwin Treague. If you don't know his name, he will be very much insulted. He is a great designer. They contacted General Electric.

The CHAIRMAN. Do you know who they had a contract with?

Mr. MINS. I was told with BuOrd.

Mr. COHN. Who did you work with in the Bureau of Ordnance in connection with this?

Mr. MINS. I saw a captain. I once saw the rear admiral himself. And I saw a man whose name I don't remember. The Fire Control Section.

The CHAIRMAN. You do not remember the names of any people you saw down there?

Mr. MINS. Good Lord.

The CHAIRMAN. Just any one of them?

Mr. MINS. A captain somebody or other, a captain in charge of fire control.

The CHAIRMAN. You do not know what his name was?

Mr. MINS. I don't remember. There was a southerner who was a civilian assistant. I don't remember his name.

The CHAIRMAN. Do you know whether you got security clearance before you received this classified material?

Mr. MINS. I haven't any knowledge at all. You fill out a questionnaire, and you go to work.

Mr. COHN. You were permitted to handle this classified material?

Mr. MINS. I was permitted to handle it.

Mr. COHN. At the time you were permitted to handle it, were you on the payroll of Soviet military intelligence?

Mr. MINS. I cite the privilege of the Fifth Amendment on that, sir.

The CHAIRMAN. You said you filled out a questionnaire. Were you asked whether you were a Communist in that questionnaire?

Mr. MINS. I cite the privilege of the Fifth Amendment in that connection, that no person shall be compelled to be a witness against himself.

Well, if you want more of me, sir, will you permit me to sit down?

The CHAIRMAN. You may sit down.

Mr. MINS. So that I need not proceed in a peripatetic fashion.

The CHAIRMAN. You will be ordered to answer that. The question is: In the questionnaire, were you asked whether you were a Communist?

Mr. MINS. Would you repeat that question to me?

[Question read by reporter.]

Mr. MINS. I answered that, I believe, to the effect that no person shall be compelled to be a witness against himself, by the text of the Fifth Amendment to the Constitution.

The CHAIRMAN. I did not ask you what your answer was. I did not ask you whether you were a Communist. I merely asked whether in the questionnaire there was a question as to any Communist activities or affiliations on your part. The form of the questionnaire could not incriminate you.

Mr. MINS. Whether the questionnaire had that question?

The CHAIRMAN. Was there such a question?

Mr. MINS. I think I have answered that adequately, sir, that no person shall be compelled to be a witness against himself.

The CHAIRMAN. You are ordered to answer the question.

Mr. MINS. I repeat that the Fifth Amendment's protection is that no person shall be compelled to be a witness against himself.

Mr. COHN. I just wanted to ask you one or two questions here. When you filed your application, was one of your references Commissioner Leland Olds of the Federal Power Commission?

Mr. MINS. Since we are discussing this, let me get my copy out, too, while we are at it. My answer to that is that no person shall be compelled to be a witness against himself.

Mr. COHN. Was another one of your references Quincy Howe of the Columbia Broadcasting Corporation?

Mr. MINS. My answer is that no person shall be compelled to be a witness against himself.

Mr. COHN. I have no further questions.

The CHAIRMAN. I think we are all through with you for tonight.

Mr. MINS. Unless you have an afterthought. I will walk slowly to the door, Senator.

Mr. COHN. Are you represented by counsel?

Mrs. BERKE. No, I am not.

The CHAIRMAN. Will you raise your right hand and be sworn? Will you stand up, please? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BERKE. I do. But I would like to say something. May I?

Mr. COHN. Could we get your name for the record, first, please.

TESTIMONY OF SYLVIA BERKE

Mrs. BERKE. Yes. Sylvia Berke.

Mr. COHN. How is that spelled?

Mrs. BERKE. B-e-r-k-e.

Mr. COHN. And where do you reside?

Mrs. BERKE. 1545 Leland Avenue, Bronx 60 New York.

Mr. COHN. And what is your occupation?

The CHAIRMAN. I think she wants to make a statement.

Mr. COHN. I wanted to get the background information.

The CHAIRMAN. You may make any statement you care to.

Mrs. BERKE. I was subpoenaed at six o'clock this evening to come down here. When the gentleman subpoenaed me, I told him I could not come, that I had a baby and could not get out. He gave me a phone number to call, and told me to take it up. I called between 6:30 and 7:00 three times. There was no one here who could give me any information. I got a phone call saying I had to come down or I would be cited for contempt. I have no counsel. I don't think I should be requested—I am not familiar with this.

Mr. COHN. They were unable to serve the subpoena earlier. I think the witness is entitled to some time.

The CHAIRMAN. Yes, you are entitled to whatever time within reason you want, to get counsel.

May I say the subpoena was prepared some time ago and was not served. Whether that is the fault of my staff or not, I don't know, but in any event, you are entitled to have time to procure counsel.

Mrs. BERKE. I would like to request time until at least the middle of next week.

The CHAIRMAN. You may have the time. I will not be sitting next week, so we will give you more time than that. I will be sitting tomorrow. I gather you will want more time than tomorrow.

Mrs. BERKE. Yes.

The CHAIRMAN. I will be back here in about ten days, more or less, so you will consider yourself under subpoena, and some member of the staff will call you, or if you will get counsel and have counsel contact the staff, we will contact your counsel and tell him when you are supposed to be present.

Mrs. BERKE. Thank you very much.

The CHAIRMAN. If you would like to know the general nature of the inquiry—

Mrs. BERKE. Yes.

The CHAIRMAN. I think we can do that.

Mr. COHN. Yes. The general nature of the inquiry will cover whether or not you were employed by the Signal Corps, and Communist activities on your part.

The CHAIRMAN. In other words, that will be the principal subject. We may get into possible Communist connections. We do not know

what testimony may be brought in here in regard to your activities at the Signal Corps, but essentially it will involve Communist activities.

Mrs. BERKE. My employment at Fort Monmouth?

Mr. COHN. Your employment at Fort Monmouth.

The CHAIRMAN. I may say I am sorry we got you away from home without a babysitter.

Mrs. BERKE. I was pretty angry. I will tell you that. It caused a great deal of inconvenience.

The CHAIRMAN. I may say we are at great inconvenience sometimes sitting here, too.

Mrs. BERKE. I don't doubt it.

[Whereupon, at 10:00 p.m., a recess was taken until 10:30 a.m., Friday, October 23, 1953.]